

79.22

**ARTICLE 3**

79.23

**COMMERCIAL REGULATION AND CONSUMER PROTECTION**

79.24 Section 1. Minnesota Statutes 2022, section 45.011, subdivision 1, is amended to read:

79.25 Subdivision 1. **Scope.** As used in chapters 45 to 80C, 80E to 83, 155A, 216C, 332, 332A,  
79.26 332B, 345, and 359, and sections 81A.22 to 81A.37; 123A.21, subdivision 7, paragraph  
79.27 (a), clause (23); 123A.25; 325D.30 to 325D.42; 326B.802 to 326B.885; 386.62 to 386.78;  
79.28 471.617; ~~and 471.982;~~ and 513.80, unless the context indicates otherwise, the terms defined  
79.29 in this section have the meanings given them.

80.1 Sec. 2. Minnesota Statutes 2023 Supplement, section 53B.69, is amended by adding a  
80.2 subdivision to read:

80.3 Subd. 3a. **Transaction hash.** "Transaction hash" means a unique identifier made up of  
80.4 a string of characters that act as a record of and provides proof that the transaction was  
80.5 verified and added to the blockchain.

80.6 Sec. 3. Minnesota Statutes 2023 Supplement, section 53B.69, is amended by adding a  
80.7 subdivision to read:

80.8 Subd. 3b. **New customer.** "New customer" means a consumer transacting at a kiosk in  
80.9 Minnesota who has been a customer with a virtual currency kiosk operator for less than 96  
80.10 hours. After the 96-hour period has elapsed from the day of first signing up as a customer  
80.11 with a virtual currency kiosk operator, the customer is considered an existing customer and  
80.12 no longer subject to the new customer transaction limit described in this act.

80.13 Sec. 4. Minnesota Statutes 2023 Supplement, section 53B.69, is amended by adding a  
80.14 subdivision to read:

80.15 Subd. 3c. **Existing customer.** "Existing customer" means a consumer transacting at a  
80.16 kiosk in Minnesota who has been a customer with a virtual currency kiosk operator for more  
80.17 than a 96-hour period. A new customer automatically converts to an existing customer after  
80.18 the 96-hour period has elapsed. An existing customer is subject to the transaction limits  
80.19 described in this act.

80.20 Sec. 5. Minnesota Statutes 2023 Supplement, section 53B.69, is amended by adding a  
80.21 subdivision to read:

80.22 Subd. 6a. **Virtual currency address.** "Virtual currency address" means an alphanumeric  
80.23 identifier representing a destination for a virtual currency transfer that is associated with a  
80.24 virtual currency wallet.

80.25 Sec. 6. Minnesota Statutes 2023 Supplement, section 53B.69, is amended by adding a  
80.26 subdivision to read:

80.27 Subd. 10. **Virtual currency kiosk.** "Virtual currency kiosk" means an electronic terminal  
80.28 acting as a mechanical agent of the virtual currency kiosk operator to enable the operator

2.2

**ARTICLE 1**

2.3

**CONSUMER PROTECTION**

126.3 Section 1. Minnesota Statutes 2022, section 45.011, subdivision 1, is amended to read:

126.4 Subdivision 1. **Scope.** As used in chapters 45 to 80C, 80E to 83, 155A, 216C, 332, 332A,  
126.5 332B, 345, and 359, and sections 81A.22 to 81A.37; 123A.21, subdivision 7, paragraph  
126.6 (a), clause (23); 123A.25; 325D.30 to 325D.42; 326B.802 to 326B.885; 386.62 to 386.78;  
126.7 471.617; ~~and 471.982;~~ and 513.80, unless the context indicates otherwise, the terms defined  
126.8 in this section have the meanings given them.

78.23 Sec. 15. Minnesota Statutes 2023 Supplement, section 53B.69, is amended by adding a  
78.24 subdivision to read:

78.25 Subd. 3a. **Transaction hash.** "Transaction hash" means a unique identifier made up of  
78.26 a string of characters that act as a record of and provide proof that the transaction was  
78.27 verified and added to the blockchain.

78.28 Sec. 16. Minnesota Statutes 2023 Supplement, section 53B.69, is amended by adding a  
78.29 subdivision to read:

78.30 Subd. 3b. **New customer.** "New customer" means a consumer transacting at a kiosk in  
78.31 Minnesota who has been a customer with a virtual currency kiosk operator for less than 72  
78.32 hours. After a 72-hour period has elapsed from the day of first signing up as a customer  
79.1 with a virtual currency kiosk operator, the customer will be considered an existing customer  
79.2 and no longer subject to the new customer transaction limit described in this act.

79.3 Sec. 17. Minnesota Statutes 2023 Supplement, section 53B.69, is amended by adding a  
79.4 subdivision to read:

79.5 Subd. 3c. **Existing customer.** "Existing customer" means a consumer transacting at a  
79.6 kiosk in Minnesota who has been a customer with a virtual currency kiosk operator for more  
79.7 than a 72-hour period. A new customer will automatically convert to an existing customer  
79.8 after the 72-hour period of first becoming a new customer. An existing customer is subject  
79.9 to the transaction limits described in this act.

79.10 Sec. 18. Minnesota Statutes 2023 Supplement, section 53B.69, is amended by adding a  
79.11 subdivision to read:

79.12 Subd. 6a. **Virtual currency address.** "Virtual currency address" means an alphanumeric  
79.13 identifier representing a destination for a virtual currency transfer that is associated with a  
79.14 virtual currency wallet.

79.15 Sec. 19. Minnesota Statutes 2023 Supplement, section 53B.69, is amended by adding a  
79.16 subdivision to read:

79.17 Subd. 10. **Virtual currency kiosk.** "Virtual currency kiosk" means an electronic terminal  
79.18 acting as a mechanical agent of the virtual currency kiosk operator to enable the virtual

80.29 to facilitate the exchange of virtual currency for money, bank credit, or other virtual currency,  
80.30 including but not limited to by (1) connecting directly to a separate virtual currency exchanger  
81.1 that performs the actual virtual currency transmission, or (2) drawing upon the virtual  
81.2 currency in the possession of the electronic terminal's operator.

81.8 Sec. 8. Minnesota Statutes 2023 Supplement, section 53B.69, is amended by adding a  
81.9 subdivision to read:

81.10 Subd. 12. **Virtual currency kiosk operator.** "Virtual currency kiosk operator" means  
81.11 a corporation, limited liability company, limited liability partnership, foreign entity, or any  
81.12 other person or entity qualified to do business in the state of Minnesota and that operates a  
81.13 virtual currency kiosk within the state of Minnesota.

81.14 Sec. 9. Minnesota Statutes 2023 Supplement, section 53B.69, is amended by adding a  
81.15 subdivision to read:

81.16 Subd. 13. **Virtual currency kiosk transaction.** "Virtual currency kiosk transaction"  
81.17 means a transaction conducted or performed, in whole or in part, by electronic means via  
81.18 a virtual currency kiosk. Virtual currency kiosk transaction also means a transaction made  
81.19 at a virtual currency kiosk to purchase currency with fiat currency or to sell virtual currency  
81.20 for fiat currency.

81.3 Sec. 7. Minnesota Statutes 2023 Supplement, section 53B.69, is amended by adding a  
81.4 subdivision to read:

81.5 Subd. 11. **Virtual currency wallet.** "Virtual currency wallet" means a software  
81.6 application or other mechanism providing a means for holding, storing, and transferring  
81.7 virtual currency.

81.21 Sec. 10. **[53B.75] VIRTUAL CURRENCY KIOSKS.**

81.22 Subdivision 1. **Disclosures on material risks.** (a) Before entering into an initial virtual  
81.23 currency transaction for, on behalf of, or with a person, the virtual currency kiosk operator  
81.24 must disclose in clear, conspicuous, and legibly written English all material risks generally  
81.25 associated with virtual currency. The disclosures must be displayed on the screen of the  
81.26 virtual currency kiosk with the ability for a person to acknowledge the receipt of the  
81.27 disclosures. The disclosures must include at least the following information:

81.28 (1) virtual currency is not legal tender, is not backed or insured by the government, and  
81.29 accounts and value balances are not subject to Federal Deposit Insurance Corporation,  
81.30 National Credit Union Administration, or Securities Investor Protection Corporation  
81.31 protections;

82.1 (2) some virtual currency transactions are deemed to be made when recorded on a public  
82.2 ledger, which may not be the date or time when the person initiates the transaction;

82.3 (3) virtual currency's value may be derived from market participants' continued  
82.4 willingness to exchange fiat currency for virtual currency, which may result in the permanent

79.19 currency kiosk operator to facilitate the exchange of virtual currency for money, bank credit,  
79.20 or other virtual currency, including but not limited to by (1) connecting directly to a separate  
79.21 virtual currency exchanger that performs the actual virtual currency transmission, or (2)  
79.22 drawing upon the virtual currency in the possession of the electronic terminal's operator.

79.23 Sec. 20. Minnesota Statutes 2023 Supplement, section 53B.69, is amended by adding a  
79.24 subdivision to read:

79.25 Subd. 11. **Virtual currency kiosk operator.** "Virtual currency kiosk operator" means  
79.26 a licensee that operates a virtual currency kiosk within Minnesota.

79.27 Sec. 21. Minnesota Statutes 2023 Supplement, section 53B.69, is amended by adding a  
79.28 subdivision to read:

79.29 Subd. 12. **Virtual currency wallet.** "Virtual currency wallet" means a software  
79.30 application or other mechanism providing a means to hold, store, or transfer virtual currency.

80.1 Sec. 22. **[53B.75] VIRTUAL CURRENCY KIOSKS.**

80.2 Subdivision 1. **Disclosures on material risks.** (a) Before entering into an initial virtual  
80.3 currency transaction for, on behalf of, or with a person, the virtual currency kiosk operator  
80.4 must disclose in a clear, conspicuous, and easily readable manner all material risks generally  
80.5 associated with virtual currency. The disclosures must be displayed on the screen of the  
80.6 virtual currency kiosk with the ability for a person to acknowledge the receipt of the  
80.7 disclosures. The disclosures must include at least the following information:

80.8 (1) virtual currency is not legal tender, backed or insured by the government, and accounts  
80.9 and value balances are not subject to Federal Deposit Insurance Corporation, National Credit  
80.10 Union Administration, or Securities Investor Protection Corporation protections;

80.11 (2) some virtual currency transactions are deemed to be made when recorded on a public  
80.12 ledger, which may not be the date or time when the person initiates the transaction;

80.13 (3) virtual currency's value may be derived from market participants' continued  
80.14 willingness to exchange fiat currency for virtual currency, which may result in the permanent

82.5 and total loss of a particular virtual currency's value if the market for **the** virtual currency  
82.6 disappears;

82.7 (4) **there is no assurance that** a person who accepts virtual currency as payment today  
82.8 will do so in the future;

82.9 (5) the volatility and unpredictability of the price of virtual currency relative to fiat  
82.10 currency may result in a significant loss over a short period;

82.11 (6) **virtual currency transactions are irreversible and are used by scammers, including**  
82.12 those impersonating loved ones, threatening jail time, stating your identity is stolen, and  
82.13 insisting you withdraw money from your bank account and purchase cryptocurrency;

82.14 (7) the nature of virtual currency means that any technological difficulties experienced  
82.15 by **the** virtual currency kiosk operator may prevent access to or use of a person's virtual  
82.16 currency; and

82.17 (8) any bond maintained by the licensee for the benefit of a person may not cover all  
82.18 losses **the persons incur.**

82.19 (b) The virtual currency kiosk operator must provide an additional disclosure, which  
82.20 must be acknowledged by the person, written prominently and in bold type, and provided  
82.21 separately from the disclosures above, stating: "WARNING: LOSSES DUE TO  
82.22 FRAUDULENT OR ACCIDENTAL TRANSACTIONS ARE NOT RECOVERABLE  
82.23 AND TRANSACTIONS IN VIRTUAL CURRENCY ARE IRREVERSIBLE."

82.24 Subd. 2. **Disclosures.** (a) A virtual currency kiosk operator must disclose all relevant  
82.25 terms and conditions generally associated with the products, services, and activities of the  
82.26 operator and virtual currency. A virtual currency kiosk operator must make the disclosures  
82.27 in clear, conspicuous, and legibly written English, displayed on a separate screen from other  
82.28 disclosures and information, in bold-face sans serif font in a size in line with other texts  
82.29 displayed. **These disclosures** must address at least the following:

82.30 (1) the person's liability for unauthorized virtual currency transactions;

82.31 (2) the person's right to:

82.32 (i) stop payment of a virtual currency transfer and the procedure to stop **the** payment;

83.1 (ii) receive a receipt, trade ticket, or other evidence of a transaction at the time of **the**  
83.2 transaction; and

83.3 (iii) prior notice of a change in the **rules or policies of the operator;**

80.15 and total loss of a particular virtual currency's value if the market for virtual currency  
80.16 disappears;

80.17 (4) a person who accepts **a** virtual currency as payment today **is not required to accept**  
80.18 and **might not accept virtual currency** in the future;

80.19 (5) the volatility and unpredictability of the price of virtual currency relative to fiat  
80.20 currency may result in a significant loss over a short period;

80.21 (6) **the nature of virtual currency may lead to an increased risk of fraud or cyber attack;**

80.22 (7) the nature of virtual currency means that any technological difficulties experienced  
80.23 by virtual currency kiosk operators may prevent access to or use of a person's virtual  
80.24 currency; and

80.25 (8) any bond maintained by the **virtual currency kiosk operator** for the benefit of a person  
80.26 may not cover all losses **a person incurs.**

80.27 (b) The virtual currency kiosk operator must provide an additional disclosure, which  
80.28 must be acknowledged by the person, written prominently and in bold type, and provided  
80.29 separately from the disclosures above, stating: "WARNING: LOSSES DUE TO  
80.30 FRAUDULENT OR ACCIDENTAL TRANSACTIONS ARE NOT RECOVERABLE  
80.31 AND TRANSACTIONS IN VIRTUAL CURRENCY ARE IRREVERSIBLE. **VIRTUAL**  
80.32 **CURRENCY TRANSACTIONS MAY BE USED BY SCAMMERS IMPERSONATING**  
81.1 **LOVED ONES, THREATENING JAIL TIME, AND INSISTING YOU WITHDRAW**  
81.2 **MONEY FROM YOUR BANK ACCOUNT TO PURCHASE VIRTUAL CURRENCY."**

81.3 Subd. 2. **Disclosures.** (a) A virtual currency kiosk operator must disclose all relevant  
81.4 terms and conditions generally associated with the products, services, and activities of the  
81.5 **virtual currency kiosk** operator and virtual currency. A virtual currency kiosk operator must  
81.6 make the disclosures in **a** clear, conspicuous, and **easily readable** manner. **The disclosures**  
81.7 **under this subdivision** must address at least the following:

81.8 (1) the person's liability for unauthorized virtual currency transactions;

81.9 (2) the person's right to:

81.10 (i) stop payment of a virtual currency transfer and the procedure to stop payment;

81.11 (ii) receive a receipt, trade ticket, or other evidence of a transaction at the time of **the**  
81.12 transaction; and

81.13 (iii) prior notice of a change in the **virtual currency kiosk operator's rules or policies;**

83.4 (3) under what circumstances the operator will, without a court or government order,  
83.5 disclose a person's account information to third parties; and

83.6 (4) other disclosures that are customarily provided in connection with the opening of a  
83.7 person's account.

83.8 (b) Before each virtual currency transaction for, on behalf of, or with a person, the virtual  
83.9 currency kiosk operator must disclose the transaction's terms and conditions in clear,  
83.10 conspicuous, and legibly written English, displayed on a separate screen from other  
83.11 disclosures and information, in bold-face sans serif font in a size in line with other texts  
83.12 displayed. These disclosures must address at least the following:

83.13 (1) the amount of the transaction;

83.14 (2) any fees, expenses, and charges, including applicable exchange rates;

83.15 (3) the type and nature of the transaction;

83.16 (4) a warning that, once completed, the transaction may not be undone;

83.17 (5) a daily virtual currency transaction limit of no more than \$2,000 for new customers;

83.18 (6) the difference in the virtual currency's sale price versus the current market price; and

83.19 (7) other disclosures that are customarily given in connection with a virtual currency  
83.20 transaction.

83.21 Subd. 3. Acknowledgment of disclosures. Before completing a transaction, a virtual  
83.22 currency kiosk operator must ensure that each person who engages in a virtual currency  
83.23 transaction using the virtual currency operator's kiosk acknowledges receipt of all disclosures  
83.24 required under this section via confirmation of consent. Additionally, upon a transaction's  
83.25 completion, the virtual currency operator must provide a person with a physical receipt, or  
83.26 a virtual receipt sent to their email address or SMS number, containing the following  
83.27 information:

83.28 (1) the operator's name and contact information, including a telephone number to answer  
83.29 questions and register complaints;

83.30 (2) the type, value, date, and precise time of the transaction, transactional hash, and each  
83.31 virtual currency address;

84.1 (3) the fees charged;

84.2 (4) the exchange rate;

84.3 (5) a statement of the operator's liability for nondelivery or delayed delivery;

81.14 (3) under what circumstances the virtual currency kiosk operator, without a court or  
81.15 government order, discloses a person's account information to third parties; and

81.16 (4) other disclosures that are customarily provided in connection with opening a person's  
81.17 account.

81.18 (b) Before each virtual currency transaction for, on behalf of, or with a person, a virtual  
81.19 currency kiosk operator must disclose the transaction's terms and conditions in a clear,  
81.20 conspicuous, and easily readable manner. The disclosures under this subdivision must  
81.21 address at least the following:

81.22 (1) the amount of the transaction;

81.23 (2) any fees, expenses, and charges, including applicable exchange rates;

81.24 (3) the type and nature of the transaction;

81.25 (4) a warning that once completed, the transaction may not be reversed;

81.26 (5) a daily virtual currency transaction limit of no more than \$3,000;

81.27 (6) the difference in the virtual currency's sale price compared to the current market  
81.28 price; and

81.29 (7) other disclosures that are customarily given in connection with a virtual currency  
81.30 transaction.

82.1 Subd. 3. Acknowledgment of disclosures. Before completing the transaction, a virtual  
82.2 currency kiosk operator must ensure that each person who engages in a virtual currency  
82.3 transaction using the virtual currency operator's kiosk acknowledges receipt of all the  
82.4 disclosures required under this section via a confirmation of consent. Additionally, upon a  
82.5 transaction's completion, the virtual currency operator must provide a person with a physical  
82.6 receipt, or the person may choose to have a virtual receipt sent to the person's email address,  
82.7 containing the following information:

82.8 (1) the virtual currency kiosk operator's name and contact information, including a  
82.9 telephone number to answer questions and register complaints;

82.10 (2) the type, value, date, and precise time of the transaction, transactional hash, and each  
82.11 virtual currency address;

82.12 (3) the fees charged;

82.13 (4) the exchange rate;

82.14 (5) a statement of the virtual currency kiosk operator's liability for nondelivery or delayed  
82.15 delivery;

84.4 (6) a statement of the operator's refund policy; and  
84.5 (7) any additional information the commissioner of commerce may require.  
84.6 Subd. 4. **New customer hold.** The first transaction of a new customer must be subject  
84.7 to a 48-hour holding period in which the customer may reverse and cancel their transaction  
84.8 for a full refund.

84.9 Subd. 5. **Transaction limits.** (a) There is an established maximum daily transaction  
84.10 limit of \$2,000 for each new customer of a virtual currency kiosk.

84.11 (b) The maximum daily transaction limit of an existing customer shall be decided by  
84.12 each virtual currency kiosk operator in compliance with federal law.

84.13 Sec. 11. Minnesota Statutes 2022, section 58B.02, subdivision 8, is amended to read:

84.14 Subd. 8. **Student loan.** "Student loan" means a government, commercial, or foundation  
84.15 loan extension of credit for actual costs paid for tuition and reasonable education and living  
84.16 expenses.

84.17 Sec. 12. Minnesota Statutes 2022, section 58B.02, is amended by adding a subdivision to  
84.18 read:

84.19 Subd. 8a. **Lender.** "Lender" means an entity engaged in the business of securing, making,  
84.20 or extending student loans. Lender does not include, to the extent that state regulation is  
84.21 preempted by federal law:

84.22 (1) a bank, savings banks, savings and loan association, or credit union;  
84.23 (2) a wholly owned subsidiary of a bank or credit union; or  
84.24 (3) an operating subsidiary where each owner is wholly owned by the same bank or  
84.25 credit union.

85.1 Sec. 13. Minnesota Statutes 2022, section 58B.03, is amended by adding a subdivision to  
85.2 read:

85.3 Subd. 10. **Annual report.** (a) Beginning March 15, 2025, a student loan servicer that  
85.4 secures, makes, or extends student loans in Minnesota must report to the commissioner on  
85.5 the form the commissioner provides:

82.16 (6) a statement of the virtual currency kiosk operator's refund policy; and  
82.17 (7) any additional information the commissioner of commerce may require.  
82.18 Subd. 4. **Refunds for new customers.** A virtual currency kiosk operator must issue a  
82.19 refund to a new customer for the full amount of all transactions made within the 72-hour  
82.20 new customer time period, as described in section 53B.69, subdivision 3b, upon request of  
82.21 the customer. In order to receive a refund under this subdivision, a customer must:  
82.22 (1) have been fraudulently induced to engage in the virtual currency transactions; and  
82.23 (2) within 14 days of the last transaction to occur during the 72-hour new customer time  
82.24 period, contact the virtual currency kiosk operator and a government or law enforcement  
82.25 agency to inform them of the fraudulent nature of the transaction.

- 85.6 (1) a list of all schools attended by borrowers who received a student loan from the  
85.7 student loan servicer and resided within Minnesota at the time of the transaction and whose  
85.8 debt is still outstanding, including student loans used to refinance an existing debt;
- 85.9 (2) the total outstanding dollar amount owed by borrowers residing in Minnesota who  
85.10 received student loans from the student loan servicer;
- 85.11 (3) the total number of student loans owed by borrowers residing in Minnesota who  
85.12 received student loans from the student loan servicer;
- 85.13 (4) the total outstanding dollar amount and number of student loans owed by borrowers  
85.14 who reside in Minnesota, associated with each school identified under clause (1);
- 85.15 (5) the total dollar amount of student loans provided by the student loan servicer to  
85.16 borrowers who resided in Minnesota in the prior calendar year;
- 85.17 (6) the total outstanding dollar amount and number of student loans owed by borrowers  
85.18 who resided in Minnesota, associated with each school identified under clause (1), that were  
85.19 provided in the prior calendar year;
- 85.20 (7) the rate of default for borrowers residing in Minnesota who obtained student loans  
85.21 from the student loan servicer, if applicable;
- 85.22 (8) the rate of default for borrowers residing in Minnesota who obtained student loans  
85.23 from the student loan servicer associated with each school identified under clause (1), if  
85.24 applicable;
- 85.25 (9) the range of initial interest rates for student loans provided by the student loan servicer  
85.26 to borrowers who resided in Minnesota in the prior calendar year;
- 85.27 (10) the total number of borrowers who received student loans under clause (9), and the  
85.28 percentage of borrowers who received each rate identified under clause (9);
- 85.29 (11) the total dollar amount and number of student loans provided in the prior calendar  
85.30 year by the student loan servicer to borrowers who resided in Minnesota at the time of the  
85.31 transaction and had a cosigner for the student loans;
- 86.1 (12) the total dollar amount and number of student loans provided by the student loan  
86.2 servicer to borrowers residing in Minnesota used to refinance a prior student loan or federal  
86.3 student loan in the prior calendar year;
- 86.4 (13) the total dollar amount and number of student loans for which the student loan  
86.5 servicer had sued to collect from a borrower residing in Minnesota in the prior calendar  
86.6 year;
- 86.7 (14) a copy of any model promissory note, agreement, contract, or other instrument used  
86.8 by the student loan servicer in the previous year to substantiate that a borrower owes a new  
86.9 debt to the student loan servicer; and

- 86.10 (15) any other information considered necessary by the commissioner to assess the total  
86.11 size and status of the student loan market and well-being of borrowers in Minnesota.
- 86.12 (b) A student loan servicer that acquires or assumes student loans in Minnesota must  
86.13 report to the commissioner on the form the commissioner provides:
- 86.14 (1) a list of all schools attended by borrowers residing in Minnesota who used, for  
86.15 attendance, any outstanding student loans assumed or acquired by the student loan servicer;
- 86.16 (2) the total outstanding dollar amount and number of student loans that have been  
86.17 acquired or assumed by the student loan servicer and owed by borrowers who reside in  
86.18 Minnesota;
- 86.19 (3) the total outstanding dollar amount and number of student loans owed by borrowers  
86.20 who reside in Minnesota that have been assumed or acquired by the student loan servicer,  
86.21 associated with each school identified under clause (1);
- 86.22 (4) the total dollar amount and number of student loans owed by borrowers who resided  
86.23 in Minnesota that were acquired or assumed by the student loan servicer in the prior calendar  
86.24 year;
- 86.25 (5) the total dollar amount and number of student loans that were acquired or assumed  
86.26 by the student loan servicer and owed by borrowers who resided in Minnesota in the prior  
86.27 year, associated with each school identified under clause (1);
- 86.28 (6) the rate of default for student loans acquired or assumed by the student loan servicer,  
86.29 if applicable;
- 86.30 (7) the rate of default for student loans acquired or assumed by the student loan servicer  
86.31 associated with each school identified under clause (1), if applicable;
- 87.1 (8) the total outstanding dollar amount and number of student loans owed by borrowers  
87.2 residing in Minnesota who had a cosigner for the student loans, if applicable;
- 87.3 (9) the total outstanding dollar amount and number of student loans that were acquired  
87.4 or assumed by the student loan servicer and owed by borrowers residing in Minnesota to  
87.5 refinance a prior student loan or federal student loan;
- 87.6 (10) the total dollar amount and number of student loans for which the student loan  
87.7 servicer had sued to collect from borrowers residing in Minnesota in the prior calendar year;  
87.8 and
- 87.9 (11) any other information considered necessary by the commissioner to assess the total  
87.10 size and status of the student loan market and well-being of borrowers in Minnesota.
- 87.11 (c) The commissioner of commerce shall share data collected under this subdivision  
87.12 with the commissioner of higher education.

87.13 Sec. 14. Minnesota Statutes 2022, section 58B.06, subdivision 4, is amended to read:

87.14 Subd. 4. **Transfer of student loan.** (a) If a borrower's student loan servicer changes  
87.15 pursuant to the sale, assignment, or transfer of the servicing, the original student loan servicer  
87.16 must:

87.17 (1) require the new student loan servicer to honor all benefits that were made available,  
87.18 or which may have become available, to a borrower from the original student loan servicer  
87.19 or is authorized under the student loan contract, including any benefits for which the student  
87.20 loan borrower has not yet qualified unless that benefit is no longer available under the federal  
87.21 or state laws and regulations; and

87.22 (2) transfer to the new student loan servicer all information regarding the borrower, the  
87.23 account of the borrower, and the borrower's student loan, including but not limited to the  
87.24 repayment status of the student loan and the benefits described in clause (1).

87.25 (b) The student loan servicer must complete the transfer under paragraph (a), clause (2),  
87.26 less than 45 days from the date of the sale, assignment, or transfer of the servicing.

87.27 (c) A sale, assignment, or transfer of the servicing must be completed no less than seven  
87.28 days from the date the next payment is due on the student loan.

87.29 (d) A new student loan servicer must adopt policies and procedures to verify that the  
87.30 original student loan servicer has met the requirements of paragraph (a).

88.1 Sec. 15. Minnesota Statutes 2022, section 58B.06, subdivision 5, is amended to read:

88.2 Subd. 5. **Income-driven repayment.** (a) A student loan servicer must evaluate a borrower  
88.3 for eligibility for an income-driven repayment program before placing a borrower in  
88.4 forbearance or default.

88.5 (b) A student loan servicer must provide the following information on the student loan  
88.6 servicer's website:

88.7 (1) a description of any income-driven repayment programs available under the student  
88.8 loan contract or federal or state laws and regulations; and

88.9 (2) information on the policies and procedures the student loan servicer implements to  
88.10 facilitate the evaluation of student loan income-driven repayment program requests, including  
88.11 accurate information regarding any options that may be available to the borrower through  
88.12 the promissory note or that may have been marketed to the borrower through marketing  
88.13 materials.

88.14 Sec. 16. Minnesota Statutes 2022, section 58B.07, subdivision 1, is amended to read:

88.15 Subdivision 1. **Misleading borrowers.** A student loan servicer must not directly or  
88.16 indirectly employ any scheme, device, or artifice to attempt to defraud or mislead a borrower.

- 88.17 Sec. 17. Minnesota Statutes 2022, section 58B.07, subdivision 3, is amended to read:
- 88.18 Subd. 3. **Misapplication of payments.** A student loan servicer must not knowingly or  
88.19 negligently misapply student loan payments to the outstanding balance of a student loan.
- 88.20 Sec. 18. Minnesota Statutes 2022, section 58B.07, subdivision 9, is amended to read:
- 88.21 Subd. 9. **Incorrect information regarding student loan forgiveness loans.** (a) A  
88.22 student loan servicer must not misrepresent the availability of student loan forgiveness for  
88.23 which the servicer has reason to know the borrower is eligible. This includes but is not  
88.24 limited to student loan forgiveness programs specific to military borrowers, borrowers  
88.25 working in public service, or borrowers with disabilities.
- 88.26 (b) A student loan servicer must not provide incorrect information related to forbearance.  
88.27 If a student loan servicer suggests placing a borrower in forbearance in lieu of a repayment  
88.28 program that would result in savings to the borrower and the borrower relies on this  
88.29 information, the student loan servicer shall be subject to the penalties provided under section  
88.30 58B.09.
- 89.1 Sec. 19. Minnesota Statutes 2022, section 58B.07, is amended by adding a subdivision to  
89.2 read:
- 89.3 Subd. 11. **Property.** A student loan servicer must not obtain property by fraud or  
89.4 misrepresentation.
- 89.5 Sec. 20. Minnesota Statutes 2022, section 58B.07, is amended by adding a subdivision to  
89.6 read:
- 89.7 Subd. 12. **Customer service.** A student loan servicer must not allow a borrower to  
89.8 remain on hold during an individual call for more than two hours unless the student loan  
89.9 servicer returns the borrower's phone call within 24 hours of the two hours expiring. A  
89.10 student loan servicer must not allow a call on hold to automatically lapse or end upon  
89.11 reaching a duration of two hours to satisfy this requirement.
- 89.12 Sec. 21. Minnesota Statutes 2022, section 58B.07, is amended by adding a subdivision to  
89.13 read:
- 89.14 Subd. 13. **Abusive acts or practices.** A student loan servicer must not engage in abusive  
89.15 acts or practices when servicing a student loan in this state. An act or practice is abusive in  
89.16 connection with the servicing of a student loan if that act or practice:
- 89.17 (1) materially interferes with the ability of a borrower to understand a term or condition  
89.18 of a student loan; or
- 89.19 (2) takes unreasonable advantage of any of the following:
- 89.20 (i) a lack of understanding on the part of a borrower of the material risks, costs, or  
89.21 conditions of the student loan;

89.22 (ii) the inability of a borrower to protect the interests of the borrower when selecting or  
89.23 using a student loan or feature, term, or condition of a student loan; or

89.24 (iii) the reasonable reliance by the borrower on a student loan servicer to act in the  
89.25 interests of the borrower.

89.26 Sec. 22. Minnesota Statutes 2022, section 58B.07, is amended by adding a subdivision to  
89.27 read:

89.28 Subd. 14. **Violations.** A violation of this section is an unlawful practice under section  
89.29 325D.44.

90.1 Sec. 23. Minnesota Statutes 2022, section 58B.09, is amended by adding a subdivision to  
90.2 read:

90.3 Subd. 4. **Private right of action.** (a) A borrower who suffers damage as a result of the  
90.4 failure of a student loan servicer to comply with this chapter may bring an action on a  
90.5 borrower's own behalf and on behalf of a similarly situated class of persons against that  
90.6 student loan servicer to recover or obtain:

90.7 (1) actual damages, except that the total award of damages must be at least \$500 per  
90.8 plaintiff, per violation;

90.9 (2) an order enjoining the methods, acts, or practices;

90.10 (3) restitution of property;

90.11 (4) punitive damages;

90.12 (5) reasonable attorney fees; and

90.13 (6) any other relief that the court deems proper.

90.14 (b) In addition to any other remedies provided by this subdivision or otherwise provided  
90.15 by law, if a student loan servicer is shown, by a preponderance of the evidence, to have  
90.16 engaged in conduct that substantially interferes with a borrower's right to an alternative  
90.17 payment arrangement; loan forgiveness, cancellation, or discharge; or any other financial  
90.18 benefit established under the terms of a borrower's promissory note or under the Higher  
90.19 Education Act of 1965, United States Code, title 20, section 1070a, et seq., a borrower is  
90.20 entitled to damages of at least \$1,500 per plaintiff, per violation.

90.21 (c) At least 45 days before bringing an action for damages or injunctive relief under this  
90.22 chapter, a borrower must:

90.23 (1) provide written notice to the student loan servicer alleged to have violated this chapter  
90.24 regarding the nature of the alleged violations; and

90.25 (2) demand that the student loan servicer correct and remedy the method, act, or practice  
90.26 identified in the notice under clause (1).

- 90.27 (d) The notice required by this subdivision must be sent by certified or registered mail,  
90.28 return receipt requested, to the student loan servicer's address on file with the Department  
90.29 of Commerce or to the student loan servicer's principal place of business in Minnesota.
- 90.30 (e) An action for damages or injunctive relief brought by a borrower only on the  
90.31 individual borrower's behalf must not be maintained under paragraph (a) upon a showing  
90.32 by a student loan servicer that an appropriate correction and remedy is given, or is agreed  
91.1 to be given within a reasonable time, to the borrower within 30 days after the notice is  
91.2 received.
- 91.3 (f) An action for damages brought by a borrower on both the borrower's behalf and on  
91.4 behalf of a similarly situated class of persons must not be maintained under paragraph (a)  
91.5 upon a showing by a student loan servicer alleged to have employed or committed a method,  
91.6 act, or practice declared unlawful if:
- 91.7 (1) all borrowers similarly situated have been identified or a reasonable effort to identify  
91.8 other borrowers has been made;
- 91.9 (2) all borrowers identified have been notified that, upon the borrower's request, the  
91.10 student loan servicer must make the appropriate correction and remedy;
- 91.11 (3) the correction and remedy requested by the borrower has been given or is given  
91.12 within a reasonable amount of time; and
- 91.13 (4) the student loan servicer has ceased from engaging, or if immediate cessation is  
91.14 impossible or unreasonably expensive under the circumstances, the student loan servicer  
91.15 ceases to engage within a reasonable amount of time, in the method, act, or practice.
- 91.16 (g) An attempt to comply with a demand described in paragraph (c) by a student loan  
91.17 servicer that receives the demand is construed as an offer to compromise and is inadmissible  
91.18 as evidence under Minnesota Rules of Evidence, rule 408. An attempt to comply with a  
91.19 demand is not an admission of engaging in an act or practice declared unlawful by paragraph  
91.20 (a). Evidence of compliance or attempts to comply with this section may be introduced by  
91.21 a defendant to establish good faith or to show compliance with paragraph (a).
- 91.22 (h) An award of damages must not be given in an action based on a method, act, or  
91.23 practice in violation of paragraph (a) if the student loan servicer alleged to have employed  
91.24 or committed that method, act, or practice:
- 91.25 (1) proves by a preponderance of the evidence that the violation was not intentional and  
91.26 resulted from a bona fide error, notwithstanding the use of reasonable procedures adopted  
91.27 to avoid that error; and
- 91.28 (2) makes an appropriate correction, repair, replacement, or other remedy under  
91.29 paragraphs (c) and (f).

91.30 (i) The commissioner must administer and enforce this section and must adopt rules and  
91.31 issue orders consistent with the authority under this section.

93.1 Sec. 25. Minnesota Statutes 2023 Supplement, section 239.791, subdivision 8, is amended  
93.2 to read:

93.3 Subd. 8. **Disclosure; reporting.** (a) A refinery or terminal, shall provide, at the time  
93.4 gasoline is sold or transferred from the refinery or terminal, a bill of lading or shipping  
93.5 manifest to the person who receives the gasoline. For oxygenated gasoline, the bill of lading  
93.6 or shipping manifest must include the identity and the volume percentage or gallons of  
93.7 oxygenate included in the gasoline, and it must state: "This fuel contains an oxygenate. Do  
93.8 not blend this fuel with ethanol or with any other oxygenate." For nonoxygenated gasoline,  
93.9 the bill or manifest must state: "This fuel is not oxygenated. It must not be sold at retail in  
93.10 Minnesota." This subdivision does not apply to sales or transfers of gasoline between  
93.11 refineries, between terminals, or between a refinery and a terminal.

93.12 (b) A delivery ticket required under section 239.092 for biofuel blended with gasoline  
93.13 must state the volume percentage of biofuel blended into gasoline delivered through a meter  
93.14 into a storage tank used for dispensing by persons not exempt under subdivisions 10 to 14  
93.15 ~~and 16, and 17.~~

93.16 (c) On or before the 23rd day of each month, a person responsible for the product must  
93.17 report to the department, in the form prescribed by the commissioner, the gross number of  
93.18 gallons of intermediate blends sold at retail by the person during the preceding calendar  
93.19 month. The report must identify the number of gallons by blend type. For purposes of this  
93.20 subdivision, "intermediate blends" means blends of gasoline and biofuel in which the biofuel  
93.21 content, exclusive of denaturants and other permitted components, is greater than ten percent  
93.22 and no more than 50 percent by volume. This paragraph only applies to a person who is  
93.23 responsible for selling intermediate blends at retail at more than ten locations. A person  
93.24 responsible for the product at fewer than ten locations is not precluded from reporting the  
93.25 gross number of intermediate blends if a report is available.

93.26 (d) All reports provided pursuant to paragraph (c) are nonpublic data, as defined in  
93.27 section 13.02, subdivision 9.

93.28 Sec. 26. Minnesota Statutes 2022, section 239.791, is amended by adding a subdivision  
93.29 to read:

93.30 Subd. 17. **Bulk delivery of premium grade gasoline; exemption.** (a) A person  
93.31 responsible for the product may offer for sale, sell, or deliver a bulk delivery of unleaded  
93.32 premium grade gasoline, as defined in section 239.751, subdivision 4, that is not oxygenated  
93.33 in accordance with subdivision 1 if the conditions in paragraphs (b) to (d) are met.

94.1 (b) Nonoxygenated gas is only for use in vehicles that qualify for an exemption under  
94.2 subdivision 12, paragraph (a).

16.19 Sec. 12. Minnesota Statutes 2023 Supplement, section 239.791, subdivision 8, is amended  
16.20 to read:

16.21 Subd. 8. **Disclosure; reporting.** (a) A refinery or terminal, shall provide, at the time  
16.22 gasoline is sold or transferred from the refinery or terminal, a bill of lading or shipping  
16.23 manifest to the person who receives the gasoline. For oxygenated gasoline, the bill of lading  
16.24 or shipping manifest must include the identity and the volume percentage or gallons of  
16.25 oxygenate included in the gasoline, and it must state: "This fuel contains an oxygenate. Do  
16.26 not blend this fuel with ethanol or with any other oxygenate." For nonoxygenated gasoline,  
16.27 the bill or manifest must state: "This fuel is not oxygenated. It must not be sold at retail in  
16.28 Minnesota." This subdivision does not apply to sales or transfers of gasoline between  
16.29 refineries, between terminals, or between a refinery and a terminal.

16.30 (b) A delivery ticket required under section 239.092 for biofuel blended with gasoline  
16.31 must state the volume percentage of biofuel blended into gasoline delivered through a meter  
16.32 into a storage tank used for dispensing by persons not exempt under subdivisions 10 to 14  
16.33 and 16.

17.1 (c) On or before the 23rd day of each month, a person responsible for the product must  
17.2 report to the department, in the form prescribed by the commissioner, the gross number of  
17.3 gallons of intermediate blends sold at retail by the person during the preceding calendar  
17.4 month. The report must identify the number of gallons by blend type. For purposes of this  
17.5 subdivision, "intermediate blends" means blends of gasoline and biofuel in which the biofuel  
17.6 content, exclusive of denaturants and other permitted components, is greater than ten percent  
17.7 and no more than 50 percent by volume. This paragraph only applies to a person who is  
17.8 responsible for selling intermediate blends at retail at more than ten locations. A person  
17.9 responsible for the product at fewer than ten locations is not precluded from reporting the  
17.10 gross number of intermediate blends if a report is available.

17.11 (d) All reports provided pursuant to paragraph (c) are nonpublic data, as defined in  
17.12 section 13.02, subdivision 9.

- 94.3 (c) No more than one bulk fuel storage tank on the premises may be used for storage of  
94.4 the nonoxygenated gasoline.  
94.5 (d) The bulk fuel delivery is 500 gallons or less.

17.13 Sec. 13. Minnesota Statutes 2022, section 272.12, is amended to read:  
17.14 **272.12 CONVEYANCES, TAXES PAID BEFORE RECORDING.**  
17.15 When:  
17.16 (a) a deed or other instrument conveying land,  
17.17 (b) a plat of any townsite or addition thereto,  
17.18 (c) a survey required pursuant to section 508.47,  
17.19 (d) a condominium plat subject to chapter 515 or 515A or a declaration that contains  
17.20 such a plat, or  
17.21 (e) a common interest community plat subject to chapter 515B or a declaration that  
17.22 contains such a plat,  
17.23 is presented to the county auditor for transfer, the auditor shall ascertain from the records  
17.24 if there be taxes delinquent upon the land described therein, or if it has been sold for taxes.  
17.25 An assignment of a sheriff's or referee's certificate of sale, when the certificate of sale  
17.26 describes real estate, and certificates of redemption from mortgage or lien foreclosure sales,  
17.27 when the certificate of redemption encompasses real estate and is issued to a junior creditor,  
17.28 are considered instruments conveying land for the purposes of this section and section  
17.29 272.121. If there are taxes delinquent, the auditor shall certify to the same; and upon payment  
17.30 of such taxes, or in case no taxes are delinquent, shall transfer the land upon the books of  
17.31 the auditor's office, and note upon the instrument, over official signature, the words, "no  
17.32 delinquent taxes and transfer entered," or, if the land described has been sold or assigned  
18.1 to an actual purchaser for taxes, the words "paid by sale of land described within;" and,  
18.2 unless such statement is made upon such instrument, the county recorder or the registrar of  
18.3 titles shall refuse to receive or record the same; provided, that sheriff's or referees' certificates  
18.4 of sale on execution or foreclosure of a lien or mortgage, certificates of redemption from  
18.5 mortgage or lien foreclosure sales issued to the redeeming mortgagor or lienee, documents  
18.6 evidencing the termination of a contract for deed as described in section 559.213, deeds of  
18.7 distribution made by a personal representative in probate proceedings, transfer on death  
18.8 deeds under section 507.071, decrees and judgments, receivers receipts, patents, and copies  
18.9 of town or statutory city plats, in case the original plat filed in the office of the county  
18.10 recorder has been lost or destroyed, and the instruments releasing, removing and discharging  
18.11 reversionary and forfeiture provisions affecting title to land and instruments releasing,  
18.12 removing or discharging easement rights in land or building or other restrictions, may be  
18.13 recorded without such certificate; and, provided that instruments conveying land and, as

18.14 appurtenant thereto an easement over adjacent tract or tracts of land, may be recorded  
18.15 without such certificate as to the land covered by such easement; and provided further, that  
18.16 any instrument granting an easement made in favor of any public utility or pipe line for  
18.17 conveying gas, liquids or solids in suspension, in the nature of a right-of-way over, along,  
18.18 across or under a tract of land may be recorded without such certificate as to the land covered  
18.19 by such easement. Documents governing homeowners associations of condominiums,  
18.20 townhouses, common interest ownership communities, and other planned unit developments  
18.21 may be recorded without the auditor's certificate to the extent provided in section  
18.22 515B.1-116(e).

18.23 A deed of distribution made by a personal representative in a probate proceeding, a  
18.24 decree, or a judgment that conveys land shall be presented to the county auditor, who shall  
18.25 transfer the land upon the books of the auditor's office and note upon the instrument, over  
18.26 official signature, the words, "transfer entered", and the instrument may then be recorded.  
18.27 A decree or judgment that affects title to land but does not convey land may be recorded  
18.28 without presentation to the auditor.

18.29 A violation of this section by the county recorder or the registrar of titles shall be a gross  
18.30 misdemeanor, and, in addition to the punishment therefor, the recorder or registrar shall be  
18.31 liable to the grantee of any instrument so recorded for the amount of any damages sustained.

18.32 When, as a condition to permitting the recording of deed or other instrument affecting  
18.33 the title to real estate previously forfeited to the state under the provisions of sections 281.16  
18.34 to 281.25, county officials, after such real estate has been purchased or repurchased, have  
18.35 required the payment of taxes erroneously assumed to have accrued against such real estate  
19.1 after forfeiture and before the date of purchase or repurchase, the sum required to be so paid  
19.2 shall be refunded to the persons entitled thereto out of moneys in the funds in which the  
19.3 sum so paid was placed. Delinquent taxes are those taxes deemed delinquent under section  
19.4 279.02.

19.5 **EFFECTIVE DATE.** This section is effective the day following final enactment.

19.6 Sec. 14. Minnesota Statutes 2023 Supplement, section 325E.21, subdivision 1b, is amended  
19.7 to read:

19.8 Subd. 1b. **Purchase or acquisition record required.** (a) Every scrap metal dealer,  
19.9 including an agent, employee, or representative of the dealer, shall create a permanent record  
19.10 written in English, using an electronic record program at the time of each purchase or  
19.11 acquisition of scrap metal or a motor vehicle. The record must include:

19.12 (1) a complete and accurate account or description, including the weight if customarily  
19.13 purchased by weight, of the scrap metal or motor vehicle purchased or acquired;

19.14 (2) the date, time, and place of the receipt of the scrap metal or motor vehicle purchased  
19.15 or acquired and a unique transaction identifier;

- 19.16 (3) a photocopy or electronic scan of the seller's proof of identification including the  
19.17 identification number;
- 19.18 (4) the amount paid and the number of the check or electronic transfer used to purchase  
19.19 or acquire the scrap metal or motor vehicle;
- 19.20 (5) the license plate number and description of the vehicle used by the person when  
19.21 delivering the scrap metal or motor vehicle, including the vehicle make and model, and any  
19.22 identifying marks on the vehicle, such as a business name, decals, or markings, if applicable;
- 19.23 (6) a statement signed by the seller, under penalty of perjury as provided in section  
19.24 609.48, attesting that the scrap metal or motor vehicle is not stolen and is free of any liens  
19.25 or encumbrances and the seller has the right to sell it;
- 19.26 (7) a copy of the receipt, which must include at least the following information: the name  
19.27 and address of the dealer, the date and time the scrap metal or motor vehicle was received  
19.28 by the dealer, an accurate description of the scrap metal or motor vehicle, and the amount  
19.29 paid for the scrap metal or motor vehicle; and
- 19.30 ~~(8) in order to purchase or acquire a detached catalytic converter, the vehicle identification~~  
19.31 ~~number of the car it was removed from or, as an alternative, any numbers, bar codes, stickers,~~  
19.32 ~~or other unique markings, whether resulting from the pilot project created under subdivision~~  
20.1 ~~2b or some other source. The alternative number must be under a numbering system that~~  
20.2 ~~can be immediately linked to the vehicle identification number by law enforcement; and~~
- 20.3 ~~(8)~~ (8) the identity or identifier of the employee completing the transaction.
- 20.4 (b) The record, as well as the scrap metal or motor vehicle purchased or acquired, shall  
20.5 at all reasonable times be open to the inspection of any properly identified law enforcement  
20.6 officer.
- 20.7 (c) Except for the purchase or acquisition of detached catalytic converters or motor  
20.8 vehicles, no record is required for property purchased or acquired from merchants,  
20.9 manufacturers, salvage pools, insurance companies, rental car companies, financial  
20.10 institutions, charities, dealers licensed under section 168.27, or wholesale dealers, having  
20.11 an established place of business, or of any goods purchased or acquired at open sale from  
20.12 any bankrupt stock, but a receipt as required under paragraph (a), clause (7), shall be obtained  
20.13 and kept by the person, which must be shown upon demand to any properly identified law  
20.14 enforcement officer.
- 20.15 (d) The dealer must provide a copy of the receipt required under paragraph (a), clause  
20.16 (7), to the seller in every transaction.
- 20.17 (e) The commissioner of public safety and law enforcement agencies in the jurisdiction  
20.18 where a dealer is located may conduct inspections and audits as necessary to ensure  
20.19 compliance, refer violations to the city or county attorney for criminal prosecution, and  
20.20 notify the registrar of motor vehicles.

94.6 Sec. 27. Minnesota Statutes 2023 Supplement, section 325E.80, subdivision 1, is amended  
94.7 to read:

94.8 Subdivision 1. **Definitions.** (a) For purposes of this section, the terms in this subdivision  
94.9 have the meanings given.

94.10 (b) "Essential consumer good or service" means a good or service that is vital and  
94.11 necessary for the health, safety, and welfare of the public, including without limitation:  
94.12 food; water; fuel; gasoline; shelter; construction materials; transportation; health care  
94.13 services; pharmaceuticals; and medical, personal hygiene, sanitation, and cleaning supplies.

94.14 (c) "Restoration and mitigation services provider" means a person or business that  
94.15 provides a service to prevent further damage to property following a fire, smoke, water, or  
94.16 storm event. Services include but are not limited to boarding up property, water extraction.

20.21 (f) Except as otherwise provided in this section, a scrap metal dealer or the dealer's agent,  
20.22 employee, or representative may not disclose personal information concerning a customer  
20.23 without the customer's consent unless the disclosure is required by law or made in response  
20.24 to a request from a law enforcement agency. A scrap metal dealer must implement reasonable  
20.25 safeguards to protect the security of the personal information and prevent unauthorized  
20.26 access to or disclosure of the information. For purposes of this paragraph, "personal  
20.27 information" is any individually identifiable information gathered in connection with a  
20.28 record under paragraph (a).

20.29 Sec. 15. Minnesota Statutes 2023 Supplement, section 325E.21, subdivision 11, is amended  
20.30 to read:

20.31 Subd. 11. **Prohibition on possessing catalytic converters; exception.** (a) It is unlawful  
20.32 for a person to possess a used catalytic converter that is not attached to a motor vehicle  
20.33 except when:

21.1 (1) the converter is marked with the date the converter was removed from the vehicle  
21.2 and the identification number of the vehicle from which the converter was removed or ~~an~~  
21.3 ~~alternative number to the vehicle identification number~~, as an alternative to the vehicle  
21.4 identification number, any numbers, bar codes, stickers, or other unique markings, whether  
21.5 resulting from the pilot project created under subdivision 2b or some other source; or

21.6 (2) the converter has been EPA certified for reuse as a replacement part.

21.7 (b) If an alternative number to the vehicle identification number is used, it must be under  
21.8 a numbering system that can be immediately linked to the vehicle identification number by  
21.9 law enforcement. The marking of the vehicle identification or alternative number may be  
21.10 made in any permanent manner, including but not limited to an engraving or use of permanent  
21.11 ink. The marking must clearly and legibly indicate the date removed and the vehicle  
21.12 identification number or the alternative number and the method by which law enforcement  
21.13 can link the converter to the vehicle identification number.

94.17 drying, smoke or odor removal, cleaning, and personal property inventory, removal, and  
94.18 storage.

94.19 (d) "Seller" means a manufacturer, supplier, wholesaler, distributor, or retail seller of  
94.20 goods and services.

94.21 (e) "Tree trimmer" means a person registered under section 18G.07.

94.22 ~~(f)~~ (f) "Unconscionably excessive price" means a price that represents a gross disparity  
94.23 compared to the seller's average price of an essential good or service, offered for sale or  
94.24 sold in the usual course of business, in the 60-day period before an abnormal market  
94.25 disruption is declared under subdivision 2. None of the following is an unconscionably  
94.26 excessive price:

94.27 (1) a price that is substantially related to an increase in the cost of manufacturing,  
94.28 obtaining, replacing, providing, or selling a good or service;

94.29 (2) a price that is no more than 25 percent above the seller's average price during the  
94.30 60-day period before an abnormal market disruption is declared under subdivision 2;

94.31 (3) a price that is consistent with the fluctuations in applicable commodity markets or  
94.32 seasonal fluctuations; or

95.1 (4) a contract price, or the results of a price formula, that was established before an  
95.2 abnormal market disruption is declared under subdivision 2.

95.3 Sec. 28. Minnesota Statutes 2023 Supplement, section 325E.80, subdivision 5, is amended  
95.4 to read:

95.5 Subd. 5. **Prices and rates.** Upon the occurrence of a weather event classified as a severe  
95.6 thunderstorm pursuant to the criteria established by the National Oceanic and Atmospheric  
95.7 Administration, a residential building contractor, tree trimmer, or restoration and mitigation  
95.8 services provider operating within the geographic region impacted by the weather event  
95.9 and repairing damage caused by the weather event shall not:

95.10 (1) charge an unconscionably excessive price for labor in comparison to the market price  
95.11 charged for comparable services in the geographic region impacted by the weather event;  
95.12 or

95.13 (2) charge an insurance company a rate that exceeds what the residential building  
95.14 contractor, tree trimmer, or restoration and mitigation services provider would otherwise  
95.15 charges members charge a member of the general public.

95.16 Sec. 29. Minnesota Statutes 2023 Supplement, section 325E.80, subdivision 6, is amended  
95.17 to read:

95.18 Subd. 6. **Civil penalty.** A person who is found to have violated this section subdivision  
95.19 4 is subject to a civil penalty of not more than \$1,000 per sale or transaction, with a maximum

95.20 penalty of \$25,000 per day. No other penalties may be imposed for the same conduct  
95.21 regulated under ~~this section~~ subdivision 4.

95.22 Sec. 30. Minnesota Statutes 2023 Supplement, section 325E.80, subdivision 7, is amended  
95.23 to read:

95.24 Subd. 7. **Enforcement authority.** (a) The attorney general may investigate and bring  
95.25 an action using the authority under section 8.31 against a seller ~~or~~ residential building  
95.26 contractor, tree trimmer, or restoration and mitigation services provider for an alleged  
95.27 violation of this section.

95.28 (b) Nothing in this section creates a private cause of action in favor of a person injured  
95.29 by a violation of this section.

96.1 Sec. 31. Minnesota Statutes 2022, section 325F.03, is amended to read:

96.2 **325F.03 FLAME RESISTANT PUBLIC ASSEMBLY TENTS.**

96.3 No person, firm or corporation shall establish, maintain or operate any circus, side show,  
96.4 carnival, tent show, theater, skating rink, dance hall, or a similar exhibition, production,  
96.5 engagement or offering or other place of assemblage in or under which ~~ten~~ 15 or more  
96.6 persons may gather for any lawful purpose in any tent, awning or other fabric enclosure  
96.7 unless such tent, awning or other fabric enclosure, and all auxiliary tents, curtains, drops,  
96.8 awnings and all decorative materials, are made from a nonflammable material or are treated  
96.9 and maintained in a flame resistant condition. This section ~~shall~~ does not apply to tents  
96.10 designed or manufactured for camping, backpacking, mountaineering, or children's play;  
96.11 tents used to conduct committal services on the grounds of a cemetery; nor to tents, awnings  
96.12 or other fabric enclosures erected and used within a sound stage, or other similar structural  
96.13 enclosure which is equipped with an overhead automatic sprinkler system.

96.14 Sec. 32. Minnesota Statutes 2022, section 325F.04, is amended to read:

96.15 **325F.04 FLAME RESISTANT TENTS AND SLEEPING BAGS.**

96.16 No person, firm, or corporation may sell or offer for sale or manufacture for sale in this  
96.17 state any tent subject to section 325F.03 unless all fabrics or pliable materials in the tent  
96.18 are durably flame resistant. ~~No person, firm or corporation may sell or offer for sale or~~  
96.19 ~~manufacture for sale in this state any sleeping bag unless it meets the standards of the~~  
96.20 ~~commissioner of public safety for flame resistance. Tents and sleeping bags subject to~~  
96.21 ~~section 325F.03 shall be conspicuously labeled as being durably flame resistant.~~

96.22 Sec. 33. Minnesota Statutes 2022, section 325F.05, is amended to read:

96.23 **325F.05 RULES.**

96.24 The commissioner of public safety shall act so as to have effective rules concerning  
96.25 standards for ~~nonflammable, flame resistant and~~ durably flame resistant materials and for  
96.26 labeling requirements ~~by January 1, 1976 under sections 325F.03 and 325F.04.~~ In order to

21.14 Sec. 16. Minnesota Statutes 2022, section 325F.03, is amended to read:

21.15 **325F.03 FLAME RESISTANT PUBLIC ASSEMBLY TENTS.**

21.16 No person, firm or corporation shall establish, maintain or operate any circus, side show,  
21.17 carnival, tent show, theater, skating rink, dance hall, or a similar exhibition, production,  
21.18 engagement or offering or other place of assemblage in or under which ~~ten~~ 15 or more  
21.19 persons may gather for any lawful purpose in any tent, awning or other fabric enclosure  
21.20 unless such tent, awning or other fabric enclosure, and all auxiliary tents, curtains, drops,  
21.21 awnings and all decorative materials, are made from a nonflammable material or are treated  
21.22 and maintained in a flame resistant condition. This section ~~shall~~ does not apply to tents  
21.23 designed or manufactured for camping, backpacking, mountaineering, or children's play;  
21.24 tents used to conduct committal services on the grounds of a cemetery; nor to tents, awnings  
21.25 or other fabric enclosures erected and used within a sound stage, or other similar structural  
21.26 enclosure which is equipped with an overhead automatic sprinkler system.

21.27 Sec. 17. Minnesota Statutes 2022, section 325F.04, is amended to read:

21.28 **325F.04 FLAME RESISTANT TENTS AND SLEEPING BAGS.**

21.29 No person, firm, or corporation may sell or offer for sale or manufacture for sale in this  
21.30 state any tent subject to section 325F.03 unless all fabrics or pliable materials in the tent  
21.31 are durably flame resistant. ~~No person, firm or corporation may sell or offer for sale or~~  
21.32 ~~manufacture for sale in this state any sleeping bag unless it meets the standards of the~~  
22.1 ~~commissioner of public safety for flame resistance. Tents and sleeping bags subject to~~  
22.2 ~~section 325F.03 shall be conspicuously labeled as being durably flame resistant.~~

22.3 Sec. 18. Minnesota Statutes 2022, section 325F.05, is amended to read:

22.4 **325F.05 RULES.**

22.5 The commissioner of public safety shall act so as to have effective rules concerning  
22.6 standards for ~~nonflammable, flame resistant and~~ durably flame resistant materials and for  
22.7 labeling requirements ~~by January 1, 1976 under sections 325F.03 and 325F.04.~~ In order to

96.27 comply with sections 325F.03 and 325F.04 all materials and labels must comply with the  
96.28 rules adopted by the commissioner. The commissioner has general rulemaking power to  
96.29 otherwise implement sections 325F.03 to 325F.07.

97.1 Sec. 34. [325F.078] SALES OF AEROSOL DUSTERS CONTAINING 1,1-  
97.2 DIFLUOROETHANE (DFE).

97.3 Subdivision 1. **Definitions.** (a) For the purposes of this section, the following terms have  
97.4 the meanings given.

97.5 (b) "Aerosol duster" means a product used to clean electronics and other items by means  
97.6 of an aerosol sprayed from a pressurized container.

97.7 (c) "Behind-the-counter" means placement by a retailer of a product to ensure that  
97.8 customers do not have direct access to the product before a sale is made, requiring the seller  
97.9 to deliver the product directly to the buyer.

97.10 (d) "DFE" or "1,1-difluoroethane" means a chemical with a Chemicals Abstract Service  
97.11 Registry Number of 75-37-6.

97.12 Subd. 2. **Requirements for retail sale.** A retailer must only sell an aerosol duster that  
97.13 contains DFE:

97.14 (1) from behind the counter;

97.15 (2) to a purchaser who presents valid evidence that the purchaser is at least 21 years of  
97.16 age; and

97.17 (3) in a quantity that complies with the purchasing limit established in subdivision 3.

97.18 Subd. 3. **Purchasing limit.** (a) A retailer is prohibited from selling more than three cans  
97.19 of an aerosol duster containing DFE to a customer in a single transaction.

97.20 (b) A retailer is prohibited from selling aerosol dusters containing DFE through same  
97.21 day pick up services or same day delivery services.

97.22 Subd. 4. **Exemption.** (a) Subdivisions 2 and 3 do not apply to a business purchasing  
97.23 aerosol dusters online.

97.24 (b) Office wholesalers can sell more than three cans of aerosol dusters containing DFE  
97.25 to a business they have a contract with.

97.26 Subd. 5. **Labeling.** (a) An aerosol duster manufactured after May 31, 2025, must not be  
97.27 sold in this state unless the aerosol duster clearly warns against the dangers of intentionally  
97.28 misusing duster aerosol products.

97.29 (b) The font size of this warning shall be the same or larger than other warning language.  
97.30 The font color and background of the label must be in contrasting colors.

22.8 comply with sections 325F.03 and 325F.04 all materials and labels must comply with the  
22.9 rules adopted by the commissioner. The commissioner has general rulemaking power to  
22.10 otherwise implement sections 325F.03 to 325F.07.

22.11 Sec. 19. [325F.078] SALES OF AEROSOL DUSTERS CONTAINING 1,1-  
22.12 DIFLUOROETHANE (DFE).

22.13 Subdivision 1. **Definitions.** (a) For the purposes of this section, the following terms have  
22.14 the meanings given.

22.15 (b) "Aerosol duster" means a product used to clean electronics and other items by means  
22.16 of an aerosol sprayed from a pressurized container.

22.17 (c) "Behind the counter" means placement by a retailer of a product to ensure that  
22.18 customers do not have direct access to the product before a sale is made, requiring the seller  
22.19 to deliver the product directly to the buyer.

22.20 (d) "DFE" or "1,1-difluoroethane" means a chemical with a Chemicals Abstract Service  
22.21 Registry Number of 75-37-6.

22.22 Subd. 2. **Requirements for retail sale.** A retailer must only sell an aerosol duster that  
22.23 contains DFE:

22.24 (1) from behind the counter;

22.25 (2) to a purchaser who presents valid evidence that the purchaser is at least 21 years of  
22.26 age; and

22.27 (3) in a quantity that complies with the purchasing limit established in subdivision 3.

22.28 Subd. 3. **Purchasing limit.** A retailer is prohibited from selling more than three cans of  
22.29 an aerosol duster containing DFE to a customer in a single transaction.

23.1 Subd. 4. **Exemption.** Subdivisions 2 and 3 do not apply to a business purchasing aerosol  
23.2 dusters online.

23.3 Subd. 5. **Labeling.** (a) An aerosol duster containing DFE must not be sold in this state  
23.4 unless the aerosol duster conforms to the labeling requirements established in this subdivision.

97.31 (c) The label on each can of aerosol duster containing DFE must contain the following:

98.1 (1) the words "DANGER: DEATH! Breathing this product to get high can kill you!";

98.2 and

98.3 (2) the poison control phone number, 1-800-222-1222.

98.4 (d) In order to comply with paragraph (a), a label may include, but is not limited to the  
98.5 words:

98.6 (1) "Deliberate misuse by concentrating and inhaling the contents can be harmful or  
98.7 fatal!"; and

98.8 (2) "Intentional misuse by deliberately concentrating and inhaling the vapors can be  
98.9 harmful or fatal!";

23.5 (b) The label on each can of aerosol duster containing DFE must contain the following  
23.6 placed within a red rectangle encompassing at least one-half of the area of the rear side of  
23.7 the can:

23.8 (1) at the top left corner of the rectangle, the words "Inhalant Abuse Public Safety  
23.9 Announcement" in red ink on a white background that covers one quarter of the rear side  
23.10 of the can;

23.11 (2) below the words in clause (1), the words "DANGER: DEATH! Breathing this product  
23.12 to get high can kill you" in white ink on a red background;

23.13 (3) at the top right corner of the rectangle, a skull and crossbones symbol in black ink  
23.14 on a yellow background contained within a triangle, and the word "DANGER" in black ink  
23.15 on a yellow background just below the triangle;

23.16 (4) below the symbol in clause (3), in black ink on a white background, the words:  
23.17 "Abuse or Misuse" underlined, under which are the words "Danger: Can stop your heart  
23.18 Caution: Can cut off air to your brain Warning: Can result in death";

23.19 (5) below the words in clause (4), a drawing of a person lying on the ground, in white  
23.20 ink, within a red circle, on a white background, contained within a red triangle;

23.21 (6) below the triangle in clause (5), in white ink on a red background, the word  
23.22 "WARNING," and, below that, "Risk of death when abused or misused";

23.23 (7) across the bottom of the rectangle, in black type on a white background, the words  
23.24 "This product contains a bittering agent to help discourage inhalant abuse. The misuse and  
23.25 abuse of this product by deliberately concentrating and inhaling the chemical contents  
23.26 presents a serious health hazard and can result in fatality. Please use this product responsibly  
23.27 as the product was intended."; and

23.28 (8) below the words in clause (7), two smaller versions of the skull and crossbones  
23.29 symbols described in clause (3) on a white background, placed equidistant from the edges  
23.30 of the red rectangle, and in between which, in red ink, is the website address  
23.31 "www.inhalant.org."

98.10 (e) The safety symbols and color standards of the label described in this section must  
98.11 conform with the ANSI Z535 safety signage standards guidelines established by the American  
98.12 National Standards Institute.

98.13 Subd. 6. **Violations.** (a) A person who violates subdivision 2 or 3 is guilty of a  
98.14 misdemeanor.

98.15 (b) It is an affirmative defense to a charge under subdivision 2, clause (2), if the defendant  
98.16 proves by a preponderance of the evidence that the defendant reasonably and in good faith  
98.17 relied on proof of age as described in section 340A.503, subdivision 6.

98.18 **EFFECTIVE DATE.** This section is effective January 1, 2025, and applies to purchases  
98.19 of aerosol dusters made on or after that date.

98.20 Sec. 35. **[325F.676] TICKET SALES.**

98.21 Subdivision 1. **Definitions.** (a) For the purposes of this section, the following terms have  
98.22 the meanings given.

98.23 (b) "Commissioner" means the commissioner of commerce.

98.24 (c) "Entertainment" means all forms of entertainment, including but not limited to  
98.25 theatrical or operatic performances, concerts, motion pictures, entertainment at fairgrounds,  
98.26 amusement parks, athletic competitions and other sports, and all other forms of diversion,  
98.27 recreation, or show.

98.28 (d) "Internet domain name" means a globally unique, hierarchical reference to an Internet  
98.29 host or service, which is assigned through a centralized Internet naming authority and which

24.1 (c) The safety symbols and color standards of the label described in this section must  
24.2 conform with the ANSI Z535 safety signage standards guidelines established by the American  
24.3 National Standards Institute.

24.4 Subd. 6. **Violations.** (a) A person who violates subdivision 2 or 3 is guilty of a  
24.5 misdemeanor.

24.6 (b) It is an affirmative defense to a charge under subdivision 2, clause (2), if the defendant  
24.7 proves by a preponderance of the evidence that the defendant reasonably and in good faith  
24.8 relied on proof of age as described in section 340A.503, subdivision 6.

24.9 **EFFECTIVE DATE.** This section is effective the day following final enactment and  
24.10 applies to purchases of aerosol dusters made on or after that date.

24.11 Sec. 20. Minnesota Statutes 2022, section 325F.56, subdivision 2, is amended to read:

24.12 Subd. 2. **Repairs.** "Repairs" means work performed for a total price of more than \$100  
24.13 and less than \$7,500, including the price of parts and materials, to restore a malfunctioning,  
24.14 defective, or worn motor vehicle, appliance, or dwelling place used primarily for personal,  
24.15 family, or household purposes and not primarily for business or agricultural purposes.  
24.16 "Repairs" do not include service calls or estimates.

24.17 Sec. 21. Minnesota Statutes 2022, section 325F.62, subdivision 3, is amended to read:

24.18 Subd. 3. **Required notice to be displayed.** Each shop shall conspicuously display a  
24.19 sign that states the following: "Upon a customer's request, this shop is required to provide  
24.20 a written estimate for repairs costing ~~more than \$100 to \$7,500~~ if the shop agrees to perform  
24.21 the repairs. The shop's final price cannot exceed its written estimate by more than ten percent  
24.22 without the prior authorization of the customer. You must request that the estimate be in  
24.23 writing. An oral estimate is not subject to the above repair cost limitations." If the shop  
24.24 charges a fee for the storage or care of repaired motor vehicles or appliances, the shop shall  
24.25 conspicuously display a sign that states the amount assessed for storage or care, when the  
24.26 charge begins to accrue, and the interval of time between assessments."

98.30 is composed of a series of character strings separated by periods with the rightmost string  
98.31 specifying the top of the hierarchy.

99.1 (e) "Online ticket marketplace" means the administrator of a website or other electronic  
99.2 service, including an agent, employee, or assignee of such administrator, that sells tickets  
99.3 or maintains a platform to facilitate the sale of tickets.

99.4 (f) "Operator" means a person, including an agent, employee, or assignee of such person,  
99.5 who:

99.6 (1) owns, operates, or controls a place of entertainment;

99.7 (2) produces entertainment; or

99.8 (3) sells a ticket to a place of entertainment for original sale.

99.9 (g) "Person" means a party, individual, partnership, association, corporation, or other  
99.10 legal entity.

99.11 (h) "Place of entertainment" means an entertainment facility, including but not limited  
99.12 to an amphitheater, theater, stadium, arena, racetrack, museum, amusement park, venue,  
99.13 club, or other place where performances, concerts, exhibits, athletic games, contests, or  
99.14 other forms of entertainment are held. For the purposes of this section, place of entertainment  
99.15 does not include movie theaters.

99.16 (i) "Ticket reseller" means a person that offers or sells tickets for resale after the original  
99.17 sale to an entertainment event located in this state and includes an operator to the extent  
99.18 that the operator offers or sells tickets for resale. Sales by a ticket reseller includes sales by  
99.19 any means, including but not limited to in-person, or by telephone, mail, delivery service,  
99.20 facsimile, Internet, email, or other electronic means. A ticket reseller does not include a  
99.21 person that purchases a ticket solely for their own use or the use of their invitees, employees,  
99.22 or agents.

99.23 (j) "URL" means a uniform resource locator for a website on the Internet.

99.24 Subd. 2. **Disclosures.** (a) An operator, ticket reseller, or online ticket marketplace must,  
99.25 at all times during the ticket listing and purchasing process, disclose in an easily readable  
99.26 and conspicuous manner and in dollars:

99.27 (1) the total cost of the ticket, inclusive of all fees and surcharges that must be paid in  
99.28 order to purchase the ticket;

99.29 (2) the portion of the ticket price that represents a service charge; and

99.30 (3) any other fee or surcharge to the purchaser.

99.31 (b) The disclosure of subtotals, fees, charges, and all other components of the total price  
99.32 must not be false or misleading, and shall not be presented more prominently or in the same  
100.1 or larger size than the total price. The disclosure of subtotals, fees, charges, and all other

100.2 components of the total price may be displayed in a way that allows the purchaser to hide  
100.3 or minimize the itemized list. The price of a ticket must not increase with respect to a  
100.4 particular person after the ticket is first displayed to such person, excluding reasonable fees  
100.5 for the delivery of nonelectronic tickets based on the delivery method selected by the  
100.6 purchaser and any additional purchases made by the purchaser, which must be disclosed  
100.7 prior to accepting payment.

100.8 (c) A ticket reseller and online ticket marketplace must disclose in an easily readable  
100.9 and conspicuous manner on its website or electronic service:

100.10 (1) that the website or electronic service is owned or operated by a ticket reseller or  
100.11 online ticket marketplace and that the price of a resale ticket offered for sale may be higher  
100.12 or lower than the original purchase price;

100.13 (2) that the purchaser is responsible for checking with the place of entertainment for  
100.14 information on changes to the event or cancellations prior to the event's start time; and

100.15 (3) the refund policy of the ticket reseller or online ticket marketplace.

100.16 A ticket reseller or online ticket marketplace must require a purchaser to confirm having  
100.17 read the disclosures required by this paragraph before completing a transaction.

100.18 (d) A ticket reseller or online ticket marketplace must provide proof of purchase to the  
100.19 purchaser that must include all event and ticket information within 24 hours of the purchase,  
100.20 including:

100.21 (1) that the purchaser is responsible for checking with the place of entertainment for  
100.22 information on changes to the event or cancellations prior to the event's start time; and

100.23 (2) the refund policy of the ticket reseller or online ticket marketplace.

100.24 (e) An online ticket marketplace must not use any combination of text, images, trademark,  
100.25 copyright, web designs, or Internet addresses that is identical or substantially similar to text,  
100.26 images, trademark, copyright, web designs, or Internet addresses associated with a place of  
100.27 entertainment without the written permission of the place of entertainment duly authorized  
100.28 to provide such permission. This paragraph does not prohibit an online ticket marketplace  
100.29 from using text containing the name of a place of entertainment or of an event in order to  
100.30 describe the location of the event or the event itself. This paragraph does not prohibit an  
100.31 online ticket marketplace from providing information or images identifying the specific  
100.32 seat or area the purchaser will occupy in the place of entertainment.

101.1 (f) The obligations of paragraphs (a) to (d) do not apply to any person, unless the person  
101.2 engaged in annual aggregate transactions that were equal to or greater than \$5,000.

101.3 Subd. 3. **Prohibitions.** (a) A ticket reseller or online ticket marketplace must not:

101.4 (1) sell or offer to sell more than one copy of the same ticket to a place of entertainment;

- 101.5 (2) employ another person directly or indirectly to wait in line to purchase tickets for  
101.6 the purpose of reselling the tickets if the practice is prohibited or if the place of entertainment  
101.7 has posted a policy prohibiting the practice;
- 101.8 (3) sell or offer to sell a ticket without first informing the person of the location of the  
101.9 place of entertainment and the ticket's assigned seat, including but not limited to the seat  
101.10 number, row, and section number of the seat;
- 101.11 (4) sell or offer to sell a ticket for which there is no assigned seat without first informing  
101.12 the person of the general admission area to which the ticket corresponds; or
- 101.13 (5) advertise, offer for sale, or contract for the sale of a ticket before the ticket has been  
101.14 made available to the public, including via presale, without first obtaining permission from  
101.15 the place of entertainment, and having actual or constructive possession of such ticket,  
101.16 unless the ticket reseller owns the ticket pursuant to a season ticket package purchased by  
101.17 the ticket reseller.
- 101.18 (b) A person must not use or cause to be used an Internet domain name or subdomain  
101.19 thereof in an operator, ticket reseller, or online ticket marketplace website's URL that contains  
101.20 any of the following, unless acting on behalf of the place of entertainment, event, or person  
101.21 scheduled to perform or appear at the event:
- 101.22 (1) the name of a place of entertainment;
- 101.23 (2) the name of an event, including the name of a person scheduled to perform or appear  
101.24 at the event; or
- 101.25 (3) a name substantially similar to those described in clause (1) or (2).
- 101.26 (c) A person must not:
- 101.27 (1) circumvent any portion of the process for purchasing a ticket on the Internet or for  
101.28 admission to a place of entertainment, including but not limited to security or identity  
101.29 validation measures or an access control system; or
- 101.30 (2) disguise the identity of a purchaser for the purpose of purchasing a number of tickets  
101.31 for admission to a place of entertainment that exceeds the maximum number of tickets  
101.32 allowed for purchase by a person.
- 102.1 (d) A person must not sell a ticket obtained in violation of paragraph (c) if the person:
- 102.2 (1) participated in or had the ability to control the conduct committed in violation of  
102.3 paragraph (c); or
- 102.4 (2) knew that the ticket was acquired in violation of paragraph (c).
- 102.5 (e) An operator, online ticket marketplace, or ticket reseller must not sell a ticket unless:

- 102.6 (1) the ticket is in the possession or constructive possession of the operator, online ticket  
102.7 marketplace, or ticket reseller; or
- 102.8 (2) the operator, online ticket marketplace, or ticket reseller has a written contract with  
102.9 the place of entertainment to obtain the ticket.
- 102.10 (f) Pursuant to United States Code, title 15, section 45c, circumvention of a security  
102.11 measure, access control system, or other technological control measure used by an online  
102.12 ticket marketplace to enforce posted event ticket purchasing limits or to maintain the integrity  
102.13 of posted online ticket purchasing order rules is prohibited.
- 102.14 Subd. 4. **Commissioner data requests; data practices.** (a) Upon request by the  
102.15 commissioner, an online ticket marketplace must disclose to the commissioner information  
102.16 about technology and methods used in an alleged violation of subdivision 3, paragraph (f).  
102.17 Data collected or maintained by the commissioner under this subdivision are civil  
102.18 investigative data under section 13.39, and the commissioner may share with the attorney  
102.19 general any not public data, as defined in section 13.02, subdivision 8a, received under this  
102.20 subdivision.
- 102.21 (b) The commissioner may enforce this section under section 45.027.
- 102.22 **EFFECTIVE DATE.** This section is effective January 1, 2025, and applies to tickets  
102.23 sold on or after that date.
- 102.24 Sec. 36. **[325F.782] DEFINITIONS.**
- 102.25 Subdivision 1. **Scope.** For purposes of sections 325F.782 to 325F.7822, the following  
102.26 terms have the meanings given.
- 102.27 Subd. 2. **Minor.** "Minor" means an individual who is younger than 21 years of age.
- 102.28 Subd. 3. **Vapor product.** "Vapor product" means a noncombustible product that employs  
102.29 a heating element, power source, electronic circuit, or other electronic, chemical, or  
102.30 mechanical means, regardless of shape or size, that can be used to produce vapor from  
102.31 nicotine or any other substance, and the use or inhalation of which simulates smoking. Vapor  
103.1 product includes an electronic cigarette, electronic cigar, electronic cigarillo, electronic  
103.2 pipe, or similar product or device. Vapor product also includes a vapor cartridge or other  
103.3 container of nicotine or other substance in a solution or other form that is intended to be  
103.4 used with or in an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe,  
103.5 or similar product or device.
- 103.6 Sec. 37. **[325F.7821] PROHIBITION ON DECEPTIVE VAPOR PRODUCTS.**
- 103.7 A person or entity must not market, promote, label, brand, advertise, distribute, offer  
103.8 for sale, or sell a vapor product by:
- 103.9 (1) imitating a product that is not a vapor product, including but not limited to:

103.10 (i) a food or brand of food commonly marketed to minors, including but not limited to  
103.11 candy, desserts, and beverages;

103.12 (ii) school supplies commonly used by minors, including but not limited to erasers,  
103.13 highlighters, pens, and pencils; and

103.14 (iii) a product based on or depicting a character, personality, or symbol known to appeal  
103.15 to minors, including but not limited to a celebrity; a character in a comic book, movie,  
103.16 television show, or video game; and a mythical creature;

103.17 (2) attempting to conceal the nature of the vapor product from parents, teachers, or other  
103.18 adults; or

103.19 (3) using terms for, describing, or depicting any product described in clause (1).

103.20 Sec. 38. **[325F.812] CELLULAR TELEPHONE CASES.**

103.21 Subdivision 1. **Certain cellular telephone cases; prohibition.** A person is prohibited  
103.22 from purchasing, possessing, importing, manufacturing, selling, holding for sale, or  
103.23 distributing a cellular telephone case, stand, or cover that is a facsimile of or reasonably  
103.24 appears to be a firearm, including but not limited to a pistol or revolver.

103.25 Subd. 2. **Enforcement.** This section may be enforced by the attorney general under  
103.26 section 8.31, but a court may not impose a civil penalty of more than \$500 for a violation  
103.27 of this section.

104.1 Sec. 39. Minnesota Statutes 2022, section 325G.24, is amended to read:

104.2 **325G.24 RIGHT OF CANCELLATION.**

104.3 Subdivision 1. **Right of cancellation.** (a) Any person who has elected to become a  
104.4 member of a club may unilaterally cancel such membership, in the person's exclusive  
104.5 discretion, by giving written notice of cancellation at any time before midnight of the third  
104.6 business day following the date on which membership was attained. ~~Notice of cancellation~~  
104.7 ~~may be given personally or by mail.~~

104.8 (b) If given by mail, the notice is effective upon deposit in a mailbox, properly addressed  
104.9 and postage prepaid. ~~Notice of cancellation need not take a particular form and is sufficient~~  
104.10 ~~if it indicates, by any form of written expression, the intention of the member not to be~~  
104.11 ~~bound by the contract.~~

104.12 (c) Cancellation under this subdivision shall be without liability on the part of the member  
104.13 and the member shall be entitled to a refund, within ten days after notice of cancellation is  
104.14 given, of the entire consideration paid for the contract. ~~Rights of cancellation may not be~~  
104.15 ~~waived or otherwise surrendered.~~

- 104.16 Subd. 2. **Right of member unilateral termination.** (a) Any person who has elected to  
104.17 become a member of a club may unilaterally terminate such membership, in the person's  
104.18 exclusive discretion, by giving notice of termination at any time.
- 104.19 (b) If given by mail, the notice is effective upon deposit in a mailbox, properly addressed,  
104.20 and postage prepaid.
- 104.21 (c) A club must not impose a termination fee or any other liability on the member for  
104.22 termination under this subdivision.
- 104.23 (d) Termination under this subdivision is effective at the end of the membership term  
104.24 in which the member provides the notice of termination. If membership is at-will without  
104.25 a defined membership term, then termination under this subdivision is effective immediately,  
104.26 unless the member indicates a future effective date of termination, in which event the date  
104.27 indicated by the member is the effective date of termination.
- 104.28 (e) If a member provides notice of termination at any time before midnight of the third  
104.29 business day following the date on which membership was attained, the club must treat the  
104.30 notice as a notice of cancellation under subdivision 1, unless the member specifically  
104.31 provides for a future termination effective date.
- 104.32 Subd. 3. **Notice requirements.** (a) A club must accept a notice of cancellation or notice  
104.33 of termination that has been given:
- 105.1 (1) verbally, including but not limited to personally or over the telephone to customer  
105.2 or account service members;
- 105.3 (2) in writing, including but not limited to via mail, email, or an online message through  
105.4 the club's website directed to customer or account service members;
- 105.5 (3) through a termination election as described in section 325G.60; or
- 105.6 (4) in any other manner or medium by which the member initially accepted membership  
105.7 to the club and that is no more burdensome to the member than was the initial acceptance.
- 105.8 (b) The process to cancel must be stated clearly and be easily accessible and completed  
105.9 with ease.
- 105.10 Subd. 4. **No waiver.** A right of cancellation or right of termination under this section  
105.11 may not be waived or otherwise surrendered.
- 105.12 Sec. 40. Minnesota Statutes 2022, section 325G.25, subdivision 1, is amended to read:
- 105.13 Subdivision 1. **Form and content.** A copy of every contract shall be delivered to the  
105.14 member at the time the contract is signed. Every contract must be in writing, must be signed  
105.15 by the member, must designate the date on which the member signed the contract and must  
105.16 state, clearly and conspicuously in boldface type of a minimum size of 14 points, the  
105.17 following:

105.18 "MEMBERS' RIGHT TO CANCEL"

105.19 "If you wish to cancel this contract, you may cancel in-person, over the phone, by  
105.20 delivering or mailing a written notice to the club, via email or an online message through  
105.21 the club's website, through the "termination election" provided on the club's website (if  
105.22 applicable) and as described in Minnesota Statutes, section 325G.60, or in any other manner  
105.23 or medium by which you initially accepted membership to the club. The notice must say  
105.24 that you do not wish to be bound by the contract and must be delivered or mailed be provided  
105.25 to the club before midnight of the third business day after you sign this contract. The notice  
105.26 must be delivered or mailed to: (Insert name and mailing address of club). If you cancel,  
105.27 the club will return, within ten days of the date on which you give notice of cancellation,  
105.28 any payments you have made."

105.29 "MEMBERS' RIGHT TO UNILATERAL TERMINATION"

105.30 "You may unilaterally terminate this contract in your exclusive discretion at any time.  
105.31 If you terminate, your membership will terminate at the end of the membership term in  
105.32 which you provided the club with notice of termination. If your membership is at-will  
106.1 without a defined membership term, then your membership will terminate immediately,  
106.2 unless you indicate a future effective date of termination. If you wish to terminate this  
106.3 contract, you may terminate in-person, over the phone, by delivering or mailing a written  
106.4 notice to the club, via email or an online message through the club's website, through the  
106.5 "termination election" provided on the club's website (if applicable) and as described in  
106.6 Minnesota Statutes, section 325G.60, or in any other manner or medium by which you  
106.7 initially accepted membership to the club. The club may not impose a termination fee or  
106.8 any other liability on you for termination."

106.9 "NOTICE INFORMATION"

106.10 "If you wish to provide notice of cancellation or notice of termination to the club:

106.11 In-person or by mail, the applicable address is: [Insert name and mailing address of  
106.12 club];

106.13 Over the phone, the applicable phone number is: [Insert phone number of club];

106.14 Via email, the applicable email address is: [Insert email address of club];

106.15 On the club's website, the applicable website address is: [Insert address, if applicable]."

106.16 Sec. 41. **[325G.38] HANDHELD ELECTRONIC DEVICES; DISCLOSURES.**

106.17 If a retail establishment offers consumers the use of handheld electronic devices that  
106.18 require payment for games or other entertainment, the handheld electronic device must  
106.19 display a disclosure. The disclosure must be provided to the consumer before a game or  
106.20 entertainment is purchased and must:

- 106.21 (1) require the user to affirm that the user is 18 years of age or older; and
- 106.22 (2) include, in at least ten-point font and larger than all other type viewable on the screen
- 106.23 at that time, the payment amount required.
- 106.24 Sec. 42. **[325G.56] DEFINITIONS.**
- 106.25 Subdivision 1. **Scope.** For purposes of sections 325G.56 to 325G.62, the terms defined
- 106.26 in this section have the meanings given them.
- 106.27 Subd. 2. **Automatic renewal.** "Automatic renewal" means a plan or arrangement in
- 106.28 which a subscription or purchasing agreement is automatically renewed at the end of a
- 106.29 definite term for a subsequent term.
- 107.1 Subd. 3. **Clear and conspicuous.** "Clear and conspicuous" means in larger type than
- 107.2 the surrounding text, or in contrasting type, font, or color to the surrounding text of the same
- 107.3 size, or set off from the surrounding text of the same size by symbols or other marks, in a
- 107.4 manner that calls attention to the language. In the case of an audio disclosure, "clear and
- 107.5 conspicuous" means in a volume and cadence sufficient to be readily audible and
- 107.6 understandable.
- 107.7 Subd. 4. **Consumer.** "Consumer" means any individual who seeks or acquires, by
- 107.8 purchase or lease, any goods, services, money, or credit for personal, family, or household
- 107.9 purposes. Consumer includes but is not limited to a member as defined in section 325G.23,
- 107.10 unless the context clearly indicates otherwise.
- 107.11 Subd. 5. **Continuous service.** "Continuous service" means a plan or arrangement in
- 107.12 which a subscription or purchasing agreement continues until the consumer terminates the
- 107.13 agreement.
- 107.14 Subd. 6. **Indefinite subscription agreement.** "Indefinite subscription agreement" means
- 107.15 a subscription or purchasing agreement:
- 107.16 (1) between a seller and a consumer in Minnesota; and
- 107.17 (2) subject to automatic renewal or continuous service.
- 107.18 Indefinite subscription agreements include but are not limited to contracts, as defined in
- 107.19 section 325G.23, subject to automatic renewal or continuous service.
- 107.20 Subd. 7. **Offer terms.** "Offer terms" means the following disclosures:
- 107.21 (1) that the indefinite subscription agreement will continue until the consumer terminates
- 107.22 the agreement;
- 107.23 (2) the description of the cancellation policy that applies to the indefinite subscription
- 107.24 agreement;
- 107.25 (3) the recurring charges that will be charged to the consumer's credit or debit card or
- 107.26 payment account with a third party as part of the plan or arrangement and that the amount

107.27 of the charge may change, if that is the case, and the amount to which the charge will change,  
107.28 if known;

107.29 (4) the length of the automatic renewal term or that the service is continuous, unless the  
107.30 length of the term is definite and chosen by the consumer; and

107.31 (5) the minimum purchase obligation, if any.

108.1 Subd. 8. **Seller.** "Seller" means a seller, lessor, licensor, or professional who advertises,  
108.2 solicits, or engages in consumer transactions, or a manufacturer, distributor, or licensor who  
108.3 advertises and sells, leases, or licenses goods or services to be resold, leased, or sublicensed  
108.4 by other persons in consumer transactions. Seller includes but is not limited to a club as  
108.5 defined in section 325G.23, unless the context clearly indicates otherwise.

108.6 Sec. 43. **[325G.57] REQUIREMENTS FOR AUTOMATIC RENEWAL OR**  
108.7 **CONTINUOUS SERVICE.**

108.8 Subdivision 1. **Notices upon offer.** A seller making an offer for an indefinite subscription  
108.9 agreement must, before the consumer accepts the offer, present the offer terms in a clear  
108.10 and conspicuous manner to the consumer and in visual proximity, or in the case of an offer  
108.11 conveyed by voice, in temporal proximity, to the offer's proposal.

108.12 Subd. 2. **Confirmation upon consumer consent.** A seller making an offer for an  
108.13 indefinite subscription agreement must, in a timely manner after the consumer accepts the  
108.14 offer, provide the consumer with confirmation of the consumer's acceptance of the offer,  
108.15 in a manner that is capable of being retained by the consumer, that includes the following:

108.16 (1) the offer terms;

108.17 (2) if the offer includes a free trial, information on how to cancel the free trial before  
108.18 the consumer pays or becomes obligated to pay for any goods or services in connection  
108.19 with the free trial; and

108.20 (3) options for termination of the indefinite subscription agreement, which options must  
108.21 be easy to use, cost-effective, and timely for all consumers:

108.22 (i) if a seller makes offers for an indefinite subscription agreement through an online  
108.23 website, a termination election as set forth in section 325G.60; and

108.24 (ii) if a consumer enters into the indefinite subscription agreement through any means  
108.25 other than a toll-free telephone number, an email address, or a postal address, then an option  
108.26 substantially similar to, as easy to use, and as accessible as the initial means of consumer  
108.27 acceptance of the agreement.

108.28 A communication of the required information through email is sufficient to meet the  
108.29 requirements of this subdivision.

108.30 Subd. 3. **Material changes.** Upon a material change in the terms of the indefinite  
108.31 subscription agreement, the seller must provide to the consumer in a timely manner, and in

108.32 any case prior to the implementation of the material change, a clear and conspicuous notice  
109.1 of the material change and provide information regarding how to terminate the agreement  
109.2 in a manner that is capable of being retained by the consumer. A material change in the  
109.3 terms of an indefinite subscription agreement in violation of this subdivision is void and  
109.4 unenforceable.

109.5 Subd. 4. **Free trials.** A seller making an offer for an indefinite subscription agreement  
109.6 that includes a free trial lasting more than 30 days must, no fewer than five days and no  
109.7 more than 30 days before the end of any such free trial, notify the consumer of the consumer's  
109.8 option to cancel the free trial before the end of the trial period to avoid an obligation to pay  
109.9 for the goods or services.

109.10 Subd. 5. **Periodic notice of continuous service.** (a) If an indefinite subscription  
109.11 agreement is subject to continuous service, the seller must give the consumer written notice  
109.12 of the continuous service at least once per calendar year via mail or email.

109.13 (b) The notice required under this subdivision must include the terms of the service and  
109.14 how to terminate or manage the service.

109.15 Sec. 44. **[325G.58] PROHIBITED CONDUCT.**

109.16 Subdivision 1. **Definition; agreement.** For purposes of this section, "agreement" means  
109.17 an indefinite subscription agreement, as defined in section 325G.56, and a contract, as  
109.18 defined in section 325G.23.

109.19 Subd. 2. **Charges prior to effective date.** A seller must not charge the consumer's credit  
109.20 or debit card or the consumer's account with a third party in connection with an agreement  
109.21 before the agreement has been duly authorized by the seller and consumer and made effective.

109.22 Subd. 3. **Right of first refusal.** An agreement must not require the consumer to permit  
109.23 the seller to match any offer the consumer has received. A provision in an agreement that  
109.24 violates this subdivision is void and unenforceable.

109.25 Subd. 4. **No abusive tactics or offers upon notice.** (a) A seller that has received a notice  
109.26 of cancellation or notice of termination of an agreement from a consumer cannot:

109.27 (1) make any misrepresentation or undertake any unfair or abusive tactic to delay,  
109.28 unreasonably delay, or avoid the cancellation or termination of the agreement; or

109.29 (2) make or provide additional benefits, contract modifications, gifts, or similar offers  
109.30 to the consumer until the seller has obtained permission from the consumer, granted by the  
109.31 consumer after notice of cancellation or termination was given to the seller, for the seller  
109.32 to engage in any such activity.

110.1 (b) A seller can only seek a consumer's permission under this paragraph once per  
110.2 cancellation or termination attempt. A consumer's grant of permission under this paragraph

110.3 is limited to the immediate cancellation or termination attempt and does not apply to  
110.4 subsequent attempts.

110.5 Subd. 5. **Exceptions.** This section does not prohibit a seller from:

110.6 (1) asking the consumer the reasons for cancellation or termination, provided that a  
110.7 consumer is not required to answer as a condition of cancellation or termination;

110.8 (2) informing the consumer that there may be consequences of cancelling or terminating  
110.9 the subscription; or

110.10 (3) verifying the identity of the consumer.

110.11 Sec. 45. **[325G.59] CONSUMER'S RIGHT TO TERMINATE.**

110.12 Subdivision 1. **Termination of agreement subject to automatic renewal.** A consumer  
110.13 may terminate an indefinite subscription agreement subject to automatic renewal at any  
110.14 time by following the procedure set forth in the confirmation described in section 325G.57,  
110.15 subdivision 2. A termination under this subdivision is effective at the end of the term in  
110.16 which notice of termination is provided by the consumer, unless the consumer specifies a  
110.17 termination date occurring at the end of a subsequent term, in which event the termination  
110.18 is effective as of the date specified by the consumer, if the option is available.

110.19 Subd. 2. **Termination of agreement subject to continuous service.** (a) A consumer  
110.20 may terminate an indefinite subscription agreement subject to continuous service at any  
110.21 time by following the procedure set forth in the confirmation described in section 325G.57,  
110.22 subdivision 2. A termination under this subdivision must take effect no later than 31 days  
110.23 from the date of a verified consumer's notice of termination unless the consumer specifies  
110.24 a future termination date, in which event the termination is effective as of such date.

110.25 (b) This subdivision does not require a seller to provide an option to set a future  
110.26 termination date.

110.27 Subd. 3. **Termination in absence of confirmation or notice.** If the seller fails to provide  
110.28 either the confirmation required under section 325G.57, subdivision 2, or a notice required  
110.29 by section 325G.57, subdivision 5, the consumer may terminate the indefinite subscription  
110.30 agreement by any reasonable means at any time, including but not limited to by mail, email,  
110.31 telephone, an online option, a termination election under section 325G.60, or the means by  
110.32 which the consumer entered into the agreement, at no cost to the consumer.

111.1 Sec. 46. **[325G.60] TERMINATION ELECTION REQUIREMENT.**

111.2 Subdivision 1. **Definition; agreement.** For purposes of this section, "agreement" means  
111.3 an indefinite subscription agreement, as defined in section 325G.56, and a contract, as  
111.4 defined in section 325G.23.

111.5 Subd. 2. **Termination election required.** (a) If a seller has a website with profile or  
111.6 subscription management capabilities, then such website must include a termination election

111.7 on the website. The termination election must be clear and conspicuous on the website and  
111.8 must use plain language to convey that any consumer may use the termination election to  
111.9 terminate the agreement at any time. The termination election must only require a consumer  
111.10 to input information that is necessary to process the termination. The termination election  
111.11 must include a checkbox, submission button, or similarly common and simple mechanism  
111.12 for the member to indicate a desire to terminate the agreement.

111.13 (b) For purposes of this section, "termination election" means a simple and easily  
111.14 accessible means for a consumer to quickly provide notice of termination, and that does not  
111.15 include undue complexity, confusion, or misrepresentation by the seller.

111.16 Sec. 47. **[325G.61] UNCONDITIONAL GIFTS.**

111.17 Any good, including but not limited to any ware, merchandise, or product, is an  
111.18 unconditional gift to the consumer if a seller sends the good under an indefinite subscription  
111.19 agreement without first obtaining the consumer's affirmative consent to the agreement in  
111.20 accordance with section 325G.57. The consumer may use or dispose of the good in any  
111.21 manner without any obligation to the seller, including but not limited to any obligation  
111.22 relating to shipping of the good.

111.23 Sec. 48. **[325G.62] EXEMPTION.**

111.24 Sections 325G.56 to 325G.61 do not apply to:

111.25 (1) contracts governed by another state or federal statute or regulation specifically  
111.26 intended to regulate automatic renewal or continuous service;

111.27 (2) any licensee as defined in section 60A.985, subdivision 8, and any affiliate of such  
111.28 a licensee as defined in section 60D.15, subdivision 2;

111.29 (3) an individual or business licensed by the Department of Labor and Industry as a  
111.30 technology system contractor or power limited technician as defined in section 326B.31;

112.1 (4) any service provided by a business or its affiliate where either the business or its  
112.2 affiliate is licensed or regulated by the Public Utilities Commission, the Federal  
112.3 Communications Commission, or the Federal Energy Regulatory Commission; or

112.4 (5) any person or entity registered or licensed with the Financial Industry Regulatory  
112.5 Authority, the Securities and Exchange Commission, or under the Minnesota Securities  
112.6 Act.

24.27 Sec. 22. **[325O.01] CITATION.**

24.28 This chapter may be cited as the "Prohibiting Social Media Manipulation Act."

- 24.29 Sec. 23. **[3250.02] DEFINITIONS.**
- 24.30 (a) For purposes of this chapter, the following terms have the meanings given.
- 25.1 (b) "Accessible user interface" means a way for a user to input data, make a choice, or  
25.2 take an action on a social media platform in two clicks or fewer.
- 25.3 (c) "Account holder" means a natural person or legal person who holds an account or  
25.4 profile with a social media platform.
- 25.5 (d) "Account interactions" means any action that an account holder can make within a  
25.6 social media platform that has an impact on another user. Account interactions include but  
25.7 are not limited to:
- 25.8 (1) sending messages or invitations to users;
- 25.9 (2) reporting users;
- 25.10 (3) commenting on, resharing, liking, voting, or otherwise reacting to users' user-generated  
25.11 content; and
- 25.12 (4) posting user-generated content or disseminating user-generated content to users.
- 25.13 Actions that have no impact on other users, including viewing user-generated content or  
25.14 public content, are not account interactions.
- 25.15 (e) "Algorithmic ranking system" means a computational process, including one derived  
25.16 from algorithmic decision making, machine learning, statistical analysis, or other data  
25.17 processing or artificial intelligence techniques, used to determine the selection, order, relative  
25.18 prioritization, or relative prominence of content from a set of information that is provided  
25.19 to a user on a social media platform, including search results ranking, content  
25.20 recommendations, content display, or any other automated content selection method.
- 25.21 (f) "Click" means an act of selecting an option on an electronic interface by pressing a  
25.22 button, touching a screen, making a gesture, issuing a voice command, or other means.
- 25.23 (g) "Content" means any media, including but not limited to written posts, images, visual  
25.24 or audio recordings, notifications, and games, that a user views, reads, watches, listens to,  
25.25 or otherwise interacts or engages with on a social media platform. Content includes other  
25.26 account holders' accounts or profiles when recommended to a user by the social media  
25.27 platform.
- 25.28 (h) "Default" means a preselected option adopted by a social media platform for the  
25.29 social media platform's service, product, or feature.
- 25.30 (i) "Device operating system provider" means a business that manages or develops  
25.31 operating system software for mobile or desktop devices, including but not limited to personal  
25.32 computers, smartphones, and tablets, which manage device resources and are loaded by a  
26.1 boot program. Device operating system provider does not include a business that manages

- 26.2 or develops operating system software for a video game console, as defined by section  
26.3 325E.72.
- 26.4 (j) "Engage" or "engagement" means a user's utilization of the social media platform.
- 26.5 (k) "Existing extended network" means a user's existing network plus the set of account  
26.6 holders on a social media platform who are all directly connected to the account holders  
26.7 within that user's existing network.
- 26.8 (l) "Existing network" means the set of account holders on a social media platform with  
26.9 whom a user has consented to have a direct connection.
- 26.10 (m) "Expressed preferences" means a freely given, considered, specific, and unambiguous  
26.11 indication of a user's preferences regarding the user's engagement with a social media  
26.12 platform. Expressed preferences cannot be based on the user's time spent engaging with  
26.13 content on the social media platform, nor on the usage of features that do not indicate explicit  
26.14 preference, including comments made, posts reshared, or similar actions that may be taken  
26.15 on content the user perceives to be of low quality. Expressed preferences may not be obtained  
26.16 through a user interface designed or manipulated with the substantial effect of subverting  
26.17 or impairing a user's decision making.
- 26.18 (n) "Optimize" means promoted, prioritized, or maximized by a social media platform's  
26.19 algorithmic ranking system.
- 26.20 (o) "Social media platform" means an electronic medium, including a browser-based or  
26.21 application-based interactive computer service, Internet website, telephone network, or data  
26.22 network, that allows an account holder to create, share, and view user-generated content  
26.23 for the predominant purpose of social interaction, sharing content, or personal networking.  
26.24 Social media platform does not include:
- 26.25 (1) an Internet search provider;
- 26.26 (2) an Internet service provider;
- 26.27 (3) an email or short message service;
- 26.28 (4) a streaming service, online video game, or other Internet website where the content  
26.29 is not user generated but where interactive functions enable chat, comments, reviews, or  
26.30 other interactive functionality that is incidental to, directly related to, or dependent upon  
26.31 provision of the content;
- 27.1 (5) a communication service, including text, audio, or video communication technology,  
27.2 provided by a business to the business's employees and clients for use in the course of  
27.3 business activities and not for public distribution, except that social media platform does  
27.4 include a communication service provided by a social media platform;
- 27.5 (6) an advertising network with the sole function of delivering commercial content;

- 27.6 (7) a telecommunications carrier, as defined in United States Code, title 47, section 153;
- 27.7 (8) a broadband service, as defined by section 116J.39, subdivision 1;
- 27.8 (9) single-purpose community groups for education;
- 27.9 (10) teleconferencing or video-conferencing services that allow reception and transmission
- 27.10 of audio and video signals for real-time communication, except that social media platform
- 27.11 does include teleconferencing or video-conferencing services provided by a social media
- 27.12 platform;
- 27.13 (11) cloud computing services, which may include cloud storage and shared document
- 27.14 collaboration; or
- 27.15 (12) providing or obtaining technical support for a platform, product, or service.
- 27.16 (p) "Time sensitive" means content that is welcomed under a user's expressed preferences
- 27.17 and that would have significantly reduced value to the user with the passing of time.
- 27.18 (q) "User" means a natural person who is located in Minnesota and who holds an account
- 27.19 or profile with a social media platform.
- 27.20 (r) "User-generated content" means any content created by an account holder that is
- 27.21 uploaded, posted, shared, or disseminated on the social media platform.
- 27.22 (s) "Varied set of account holders" means a set of account holders who have different
- 27.23 behaviors and histories.
- 27.24 Sec. 24. **[3250.03] SCOPE; EXCLUSIONS.**
- 27.25 (a) A social media platform is subject to this chapter if the social media platform:
- 27.26 (1) does business in Minnesota or provides products or services that are targeted to
- 27.27 residents of Minnesota; and
- 27.28 (2) has more than 10,000 monthly active account holders located in Minnesota.
- 27.29 (b) For purposes of this chapter, a social media platform may determine whether an
- 27.30 account holder is located in Minnesota based on:
- 28.1 (1) the account holder's own supplied address or location;
- 28.2 (2) global positioning system-level latitude, longitude, or altitude coordinates;
- 28.3 (3) cellular phone system coordinates;
- 28.4 (4) Internet protocol device address; or
- 28.5 (5) other mechanisms that can be used to identify an account holder's location.

28.6 (c) This chapter applies exclusively to social media platform operations that directly  
28.7 impact account holders reasonably presumed to be located within the state of Minnesota  
28.8 based on the factors in paragraph (b).

28.9 Sec. 25. **[3250.04] REQUIREMENTS FOR SOCIAL MEDIA PLATFORMS.**

28.10 Subdivision 1. **Content optimization.** (a) A social media platform must provide an  
28.11 accessible user interface that allows a user to clearly indicate whether a particular piece of  
28.12 content:

28.13 (1) is of high or low quality; and  
28.14 (2) complies with the user's expressed preferences.

28.15 (b) A social media platform's algorithmic ranking system must optimize content for a  
28.16 user that:

28.17 (1) a varied set of account holders indicates is of high quality; and  
28.18 (2) complies with a user's expressed preferences.

28.19 (c) A social media platform's algorithmic ranking system must not optimize content that  
28.20 is not related to a user's expressed preferences in order to maximize the user's engagement  
28.21 with the platform.

28.22 Subd. 2. **Account interaction limits.** (a) A social media platform must develop criteria  
28.23 to designate an account holder who has recently created an account with or joined the social  
28.24 platform as a new account holder. An account created within 30 days must be considered  
28.25 a new account holder. For a new account holder, a social media platform must set daily  
28.26 numerical limits on account interactions equivalent to the 50th percentile of all platform  
28.27 account holders.

28.28 (b) For all account holders, a social media platform must set daily numerical limits on  
28.29 account interactions equivalent to the two standard deviations above the median for all  
28.30 platform account holders. A limit required under this paragraph may allow an account holder  
28.31 to have account interactions in excess of the limit, but at a minimum must reduce the impact  
29.1 of the engagement on other users. A limit may be exceeded for account interactions with  
29.2 another user if the other user clearly initiates and welcomes the engagement.

29.3 Subd. 3. **Default privacy settings.** (a) A social media platform must provide default  
29.4 settings for a user that do not:

29.5 (1) allow the user's account or the user's user-generated content to be discovered by  
29.6 anyone outside the user's existing extended network;

29.7 (2) allow messaging, requests, reactions, comments, or other contact from an account  
29.8 holder that is not already within the user's existing extended network, unless the user initiates  
29.9 and welcomes the contact;

- 29.10 (3) reveal the user's location outside the user's existing network, unless the user  
29.11 specifically shares the user's location outside the user's existing network;
- 29.12 (4) disseminate any information about the user, including the user's profile and any of  
29.13 the user's user-generated content, to anyone outside of the user's existing network without  
29.14 a specific request from the user to disseminate the information; or
- 29.15 (5) allow or facilitate a user's user-generated content, or any user's facial or biometric  
29.16 data, to be incorporated into generative artificial intelligence models without the user's  
29.17 explicit consent.
- 29.18 (b) The default settings required in paragraph (a) may be changed only to comply with  
29.19 the user's expressed preferences. A social media platform must not utilize a system, user  
29.20 interface, or prompt that encourages a user to change the user's privacy settings toward  
29.21 allowing the user's information or user-generated content to be shared or disseminated more  
29.22 broadly.
- 29.23 Subd. 4. **Option for heightened protection.** (a) A social media platform must provide  
29.24 an accessible user interface to allow a user to opt in to any or all of the heightened protection  
29.25 requirements under paragraph (d). A social media platform may make the heightened  
29.26 protections the default settings for all users or all account holders.
- 29.27 (b) A device operating system provider must provide an option for a user to automatically  
29.28 opt in to any or all of the heightened protection requirements under paragraph (d) across all  
29.29 social media platforms managed by the operating system on the user's device. If a user  
29.30 selects the option under this paragraph, the device operating system provider must inform  
29.31 all social media platforms managed by the provider's operating system of the user's preference  
29.32 and a notified social media platform must adjust the user's account settings accordingly. A  
30.1 device operating system provider may provide a user the ability to opt out of any or all  
30.2 heightened protections.
- 30.3 (c) A device operating system provider must, by default, consider any device with  
30.4 parental controls enabled to have opted in to all the heightened protection requirements  
30.5 under paragraph (d).
- 30.6 (d) For a user receiving heightened protections, a social media platform must not:
- 30.7 (1) use platform features that increase, sustain, or extend a user's engagement with the  
30.8 platform beyond the user's expressed preferences regarding time or duration. Features subject  
30.9 to this clause include but are not limited to:
- 30.10 (i) optimization for time spent or content consumed;
- 30.11 (ii) content feeds without finite endings;
- 30.12 (iii) autoplaying videos or other content; and

- 30.13 (iv) notifications that are not time sensitive; or
- 30.14 (2) provide any visible count showing how much engagement content that the user
- 30.15 viewed, consumed, or generated has received.
- 30.16 Subd. 5. **Transparency requirements.** (a) A social media platform must publicly post
- 30.17 the following information on the social media platform's website:
- 30.18 (1) an explanation of how the social media platform designates new account holders and
- 30.19 an explanation detailing the operation and effect of usage limits applicable to new account
- 30.20 holders under subdivision 2, paragraph (a);
- 30.21 (2) an explanation detailing the operation and effect of the usage limits required under
- 30.22 subdivision 2, paragraph (b);
- 30.23 (3) an explanation detailing how the platform:
- 30.24 (i) assesses users' perceptions of the quality of content;
- 30.25 (ii) assesses users' expressed preferences regarding content; and
- 30.26 (iii) utilizes the assessments under items (i) and (ii) in the social media platform's
- 30.27 algorithmic ranking system, including how the assessments are weighted in relation to other
- 30.28 signals in the algorithmic ranking system;
- 30.29 (4) statistics on the platform's use with respect to the tenth, 25th, 50th, 75th, 90th, 95th,
- 30.30 99th, and 99.9th percentile of all platform account holders for each distinct type of account
- 30.31 interaction or engagement, including but not limited to:
- 31.1 (i) sending invitations or messages to other platform account holders;
- 31.2 (ii) commenting on, resharing, liking, voting for, or otherwise reacting to content;
- 31.3 (iii) posting new user-generated content;
- 31.4 (iv) disseminating user-generated content to other platform account holders; and
- 31.5 (v) time spent on the platform;
- 31.6 (5) an explanation of how the platform determines whether a notification is time sensitive;
- 31.7 (6) an explanation of how the platform determines what constitutes a "varied set of
- 31.8 account holders," including what behaviors are used as signals and how any measurement
- 31.9 of difference is created and used; and
- 31.10 (7) a description of all product experiments that have been conducted on 1,000 or more
- 31.11 users, including the results of the product experiments on users' engagement with content
- 31.12 that:
- 31.13 (i) users indicate to be high or low quality;

112.7 Sec. 49. [332.3352] WAIVER OF LICENSING AND REGISTRATION.

112.8 The commissioner of commerce may, by order, waive the licensing and registration  
112.9 requirements of this chapter for a nonresident collection agency and its affiliated collectors  
112.10 if: (1) a written reciprocal licensing agreement is in effect between the commissioner and  
112.11 the licensing officials of the collection agency's home state; and (2) the collection agency  
112.12 is licensed in good standing in that state.

112.13 Sec. 50. Minnesota Statutes 2023 Supplement, section 332.71, subdivision 2, is amended  
112.14 to read:

112.15 Subd. 2. **Coerced debt.** (a) "Coerced debt" means all or a portion of debt in a debtor's  
112.16 name that has been incurred as a result of:

112.17 (1) the use of the debtor's personal information without the debtor's knowledge,  
112.18 authorization, or consent;

112.19 (2) the use or threat of force, intimidation, undue influence, ~~harassment~~, fraud, deception,  
112.20 coercion, or other similar means against the debtor; or

112.21 (3) economic abuse perpetrated against the debtor.

31.14 (ii) users indicate complies or does not comply with the users' expressed preferences;  
31.15 and

31.16 (iii) violates platform policies.

31.17 (b) Additional steps taken by a social media platform to prevent abusive use beyond  
31.18 what must be publicly disclosed under paragraph (a) are encouraged and may, but are not  
31.19 required to, be publicly disclosed.

31.20 (c) When automatically delivering, suggesting, or selecting content to a user, a social  
31.21 media platform must provide an accessible user interface to allow the user to access a basic,  
31.22 nontechnical explanation detailing why a particular piece of content was promoted by the  
31.23 platform's algorithmic ranking system.

31.24 Sec. 26. [3250.05] ENFORCEMENT.

31.25 The attorney general may bring a civil enforcement action and recover the relief provided  
31.26 in section 8.31 against a social media platform that violates this chapter. Nothing in this  
31.27 chapter establishes a private right of action, including under section 8.31, subdivision 3a,  
31.28 for a violation of this chapter or any other law.

32.1 Sec. 27. [3250.06] SEVERABILITY.

32.2 If any provision of this chapter or the chapter's application to any person or circumstance  
32.3 is held invalid for any reason in a court of competent jurisdiction, the remainder of the  
32.4 chapter or the application of the provision to other persons or circumstances is not affected.

137.13 Sec. 15. [332.3352] WAIVER OF LICENSING AND REGISTRATION.

137.14 The commissioner of commerce may, by order, waive the licensing and registration  
137.15 requirements of this chapter for a nonresident collection agency and the nonresident collection  
137.16 agency's affiliated collectors if: (1) a written reciprocal licensing agreement is in effect  
137.17 between the commissioner and the licensing officials of the nonresident collection agency's  
137.18 home state; and (2) the nonresident collection agency is licensed in good standing in the  
137.19 nonresident collection agency's home state.

94.16 Sec. 39. Minnesota Statutes 2023 Supplement, section 332.71, subdivision 2, is amended  
94.17 to read:

94.18 Subd. 2. **Coerced debt.** (a) "Coerced debt" means all or a portion of debt in a debtor's  
94.19 name that has been incurred as a result of:

94.20 (1) the use of the debtor's personal information without the debtor's knowledge,  
94.21 authorization, or consent;

94.22 (2) the use or threat of force, intimidation, undue influence, ~~harassment~~, fraud, deception,  
94.23 coercion, or other similar means against the debtor; or

94.24 (3) economic abuse perpetrated against the debtor.

112.22 (b) Coerced debt does not include secured debt.

112.23 **EFFECTIVE DATE.** This section is effective January 1, 2025.

112.24 Sec. 51. Minnesota Statutes 2023 Supplement, section 332.71, subdivision 4, is amended  
112.25 to read:

112.26 Subd. 4. **Debtor.** "Debtor" means a person who (1) is a victim of domestic abuse,  
112.27 ~~harassment~~ economic abuse, or sex or labor trafficking, and (2) owes coerced debt.

112.28 **EFFECTIVE DATE.** This section is effective January 1, 2025.

113.1 Sec. 52. Minnesota Statutes 2023 Supplement, section 332.71, subdivision 5, is amended  
113.2 to read:

113.3 Subd. 5. **Documentation.** "Documentation" means ~~a writing that identifies a debt or a~~  
113.4 ~~portion of a debt as coerced debt, describes the circumstances under which the coerced debt~~  
113.5 ~~was incurred, and takes the form of:~~

113.6 (1) a police report;

113.7 (2) a Federal Trade Commission identity theft report;

113.8 (3) an order in a dissolution proceeding under chapter 518 that declares that one or more  
113.9 debts are coerced; or

113.10 (4) a sworn written certification.

113.11 **EFFECTIVE DATE.** This section is effective January 1, 2025.

113.12 Sec. 53. Minnesota Statutes 2023 Supplement, section 332.71, subdivision 7, is amended  
113.13 to read:

113.14 Subd. 7. **Economic abuse.** "Economic abuse" means behavior in the context of a domestic  
113.15 relationship that controls, restrains, restricts, impairs, or interferes with the ability of a ~~victim~~  
113.16 ~~of domestic abuse, harassment, or sex or labor trafficking~~ debtor to acquire, use, or maintain  
113.17 economic resources, including but not limited to:

113.18 (1) withholding or restricting access to, or the acquisition of, money, assets, credit, or  
113.19 financial information;

113.20 (2) interfering with the victim's ability to work and earn wages; or

113.21 (3) exerting undue influence over a person's financial and economic behavior or decisions.

113.22 **EFFECTIVE DATE.** This section is effective January 1, 2025.

113.23 Sec. 54. Minnesota Statutes 2023 Supplement, section 332.72, is amended to read:

113.24 **332.72 COERCED DEBT PROHIBITED.**

113.25 (a) A person is prohibited from causing another person to incur coerced debt.

94.25 (b) Coerced debt does not include secured debt.

94.26 **EFFECTIVE DATE.** This section is effective January 1, 2025.

94.27 Sec. 40. Minnesota Statutes 2023 Supplement, section 332.71, subdivision 4, is amended  
94.28 to read:

94.29 Subd. 4. **Debtor.** "Debtor" means a person who (1) is a victim of domestic abuse,  
94.30 ~~harassment~~ economic abuse, or sex or labor trafficking, and (2) owes coerced debt.

95.1 **EFFECTIVE DATE.** This section is effective January 1, 2025.

95.2 Sec. 41. Minnesota Statutes 2023 Supplement, section 332.71, subdivision 5, is amended  
95.3 to read:

95.4 Subd. 5. **Documentation.** "Documentation" means ~~a writing that identifies a debt or a~~  
95.5 ~~portion of a debt as coerced debt, describes the circumstances under which the coerced debt~~  
95.6 ~~was incurred, and takes the form of:~~

95.7 (1) a police report;

95.8 (2) a Federal Trade Commission identity theft report;

95.9 (3) an order in a dissolution proceeding under chapter 518 that declares that one or more  
95.10 debts are coerced; or

95.11 (4) a sworn written certification.

95.12 **EFFECTIVE DATE.** This section is effective January 1, 2025.

95.13 Sec. 42. Minnesota Statutes 2023 Supplement, section 332.71, subdivision 7, is amended  
95.14 to read:

95.15 Subd. 7. **Economic abuse.** "Economic abuse" means behavior in the context of a domestic  
95.16 relationship that controls, restrains, restricts, impairs, or interferes with the ability of a ~~victim~~  
95.17 ~~of domestic abuse, harassment, or sex or labor trafficking~~ debtor to acquire, use, or maintain  
95.18 economic resources, including but not limited to:

95.19 (1) withholding or restricting access to, or the acquisition of, money, assets, credit, or  
95.20 financial information;

95.21 (2) interfering with the victim's ability to work and earn wages; or

95.22 (3) exerting undue influence over a person's financial and economic behavior or decisions.

95.23 **EFFECTIVE DATE.** This section is effective January 1, 2025.

95.24 Sec. 43. Minnesota Statutes 2023 Supplement, section 332.72, is amended to read:

95.25 **332.72 COERCED DEBT PROHIBITED.**

95.26 (a) A person is prohibited from causing another person to incur coerced debt.

113.26 (b) A person who causes another person to incur a coerced debt in violation of this  
113.27 section is civilly liable to the creditor for the amount of the debt, or portion thereof,  
113.28 determined by a court to be coerced debt, plus the creditor's reasonable attorney fees and  
113.29 costs, provided the creditor follows the procedures under section 332.74, subdivision 3,  
113.30 paragraph (b).

114.1 **EFFECTIVE DATE.** This section is effective January 1, 2025.

114.2 Sec. 55. Minnesota Statutes 2023 Supplement, section 332.73, subdivision 1, is amended  
114.3 to read:

114.4 Subdivision 1. **Notification.** (a) Before taking an affirmative action under section 332.74,  
114.5 a debtor must, by certified mail, notify a creditor that the debt or a portion of a debt on  
114.6 which the creditor demands payment is coerced debt and request that the creditor cease all  
114.7 collection activity on the coerced debt. The notification and request must be in writing and  
114.8 include documentation. If not already included in documentation, the notification must  
114.9 include a signed statement that includes:

114.10 (1) an assertion that the debtor is a victim of domestic abuse, economic abuse, or sex or  
114.11 labor trafficking;

114.12 (2) a recitation of the facts supporting the claim that the debt is coerced; and

114.13 (3) if only a portion of the debt is claimed to be coerced debt, an itemization of the  
114.14 portion of the debt that is claimed to be coerced debt.

114.15 (b) The creditor, within 30 days of the date the notification and request is received, must  
114.16 notify the debtor in writing of the creditor's decision to either immediately cease all collection  
114.17 activity or continue to pursue collection. If a creditor ceases collection but subsequently  
114.18 decides to resume collection activity, the creditor must notify the debtor ten days prior to  
114.19 the date the collection activity resumes.

114.20 ~~(b) If a creditor ceases collection but subsequently decides to resume collection activity,~~  
114.21 ~~the creditor must notify the debtor ten days prior to the date the collection activity resumes.~~

114.22 (c) A debtor must not proceed with an action under section 332.74 until the 30-day  
114.23 period provided under paragraph (a) has expired.

114.24 **EFFECTIVE DATE.** This section is effective January 1, 2025.

114.25 Sec. 56. Minnesota Statutes 2023 Supplement, section 332.74, subdivision 3, is amended  
114.26 to read:

114.27 Subd. 3. **Relief.** (a) If a debtor shows by a preponderance of the evidence that the debtor  
114.28 has been aggrieved by a violation of section 332.72 and the debtor has incurred coerced  
114.29 debt, the debtor is entitled to one or more of the following:

114.30 (1) a declaratory judgment that the debt or portion of a debt is coerced debt;

95.27 (b) A person who causes another person to incur a coerced debt in violation of this  
95.28 section is civilly liable to the creditor for the amount of the debt, or portion of the debt,  
95.29 determined by a court to be coerced debt, plus the creditor's reasonable attorney fees and  
96.1 costs, provided the creditor follows the procedures under section 332.74, subdivision 3,  
96.2 paragraph (b).

96.3 **EFFECTIVE DATE.** This section is effective January 1, 2025.

96.4 Sec. 44. Minnesota Statutes 2023 Supplement, section 332.73, subdivision 1, is amended  
96.5 to read:

96.6 Subdivision 1. **Notification.** (a) Before taking an affirmative action under section 332.74,  
96.7 a debtor must, by certified mail, notify a creditor that the debt or a portion of a debt on  
96.8 which the creditor demands payment is coerced debt and request that the creditor cease all  
96.9 collection activity on the coerced debt. The notification and request must be in writing and  
96.10 include documentation. If not already included in documentation, the notification must  
96.11 include a signed statement that includes:

96.12 (1) an assertion that the debtor is a victim of domestic abuse, economic abuse, or sex or  
96.13 labor trafficking;

96.14 (2) a recitation of the facts supporting the claim that the debt is coerced; and

96.15 (3) if only a portion of the debt is claimed to be coerced debt, an itemization of the  
96.16 portion of the debt that is claimed to be coerced debt.

96.17 (b) The creditor, within 30 days of the date the notification and request is received, must  
96.18 notify the debtor in writing of the creditor's decision to either immediately cease all collection  
96.19 activity or continue to pursue collection. If a creditor ceases collection but subsequently  
96.20 decides to resume collection activity, the creditor must notify the debtor ten days prior to  
96.21 the date the collection activity resumes.

96.22 ~~(b) If a creditor ceases collection but subsequently decides to resume collection activity,~~  
96.23 ~~the creditor must notify the debtor ten days prior to the date the collection activity resumes.~~

96.24 (c) A debtor must not proceed with an action under section 332.74 until the 30-day  
96.25 period provided under paragraph (a) has expired.

96.26 **EFFECTIVE DATE.** This section is effective January 1, 2025.

96.27 Sec. 45. Minnesota Statutes 2023 Supplement, section 332.74, subdivision 3, is amended  
96.28 to read:

96.29 Subd. 3. **Relief.** (a) If a debtor shows by a preponderance of the evidence that the debtor  
96.30 has been aggrieved by a violation of section 332.72 and the debtor has incurred coerced  
96.31 debt, the debtor is entitled to one or more of the following:

97.1 (1) a declaratory judgment that the debt or portion of a debt is coerced debt;

115.1 (2) an injunction prohibiting the creditor from (i) holding or attempting to hold the debtor  
115.2 liable for the debt or portion of a debt, or (ii) enforcing a judgment related to the coerced  
115.3 debt; and

115.4 (3) an order dismissing any cause of action brought by the creditor to enforce or collect  
115.5 the coerced debt from the debtor or, if only a portion of the debt is established as coerced  
115.6 debt, an order directing that the judgment, if any, in the action be amended to reflect only  
115.7 the portion of the debt that is not coerced debt.

115.8 (b) If the court orders relief for the debtor under paragraph (a), the court, after the  
115.9 creditor's motion has been personally served on the person who violated section 332.72, or  
115.10 if personal service cannot be made, after service by United States mail to the last known  
115.11 address of the person who violated section 332.72 and one-week published notice under  
115.12 section 645.11, shall must issue a judgment in favor of the creditor against the person in  
115.13 the amount of the debt or a portion thereof.

115.14 (c) This subdivision applies regardless of the judicial district in which the creditor's  
115.15 action or the debtor's petition was filed.

115.16 **EFFECTIVE DATE.** This section is effective January 1, 2025.

115.17 Sec. 57. Minnesota Statutes 2023 Supplement, section 332.74, subdivision 5, is amended  
115.18 to read:

115.19 Subd. 5. **Burden.** In any affirmative action taken under subdivision 1 or any affirmative  
115.20 defense asserted in subdivision 4, the debtor bears the burden to show by a preponderance  
115.21 of the evidence that the debtor incurred coerced debt. There is a presumption that the debtor  
115.22 has incurred coerced debt if the person alleged to have caused the debtor to incur the coerced  
115.23 debt has been ~~criminally convicted, entered a guilty plea, or entered an Alford plea under~~  
115.24 of or received a stay of adjudication for a violation of section 609.27, 609.282, 609.322, or  
115.25 609.527.

115.26 **EFFECTIVE DATE.** This section is effective January 1, 2025.

97.2 (2) an injunction prohibiting the creditor from (i) holding or attempting to hold the debtor  
97.3 liable for the debt or portion of a debt, or (ii) enforcing a judgment related to the coerced  
97.4 debt; and

97.5 (3) an order dismissing any cause of action brought by the creditor to enforce or collect  
97.6 the coerced debt from the debtor or, if only a portion of the debt is established as coerced  
97.7 debt, an order directing that the judgment, if any, in the action be amended to reflect only  
97.8 the portion of the debt that is not coerced debt.

97.9 (b) If the court orders relief for the debtor under paragraph (a), the court, after the  
97.10 creditor's motion has been personally served on the person who violated section 332.72, or  
97.11 if personal service cannot be made, after service by United States mail to the last known  
97.12 address of the person who violated section 332.72 and one-week published notice under  
97.13 section 645.11, shall must issue a judgment in favor of the creditor against the person in  
97.14 the amount of the debt or a portion thereof.

97.15 (c) This subdivision applies regardless of the judicial district in which the creditor's  
97.16 action or the debtor's petition was filed.

97.17 **EFFECTIVE DATE.** This section is effective January 1, 2025.

97.18 Sec. 46. Minnesota Statutes 2023 Supplement, section 332.74, subdivision 5, is amended  
97.19 to read:

97.20 Subd. 5. **Burden.** In any affirmative action taken under subdivision 1 or any affirmative  
97.21 defense asserted in subdivision 4, the debtor bears the burden to show by a preponderance  
97.22 of the evidence that the debtor incurred coerced debt. There is a presumption that the debtor  
97.23 has incurred coerced debt if the person alleged to have caused the debtor to incur the coerced  
97.24 debt has been ~~criminally convicted, entered a guilty plea, or entered an Alford plea under~~  
97.25 of or received a stay of adjudication for a violation of section 609.27, 609.282, 609.322, or  
97.26 609.527.

97.27 **EFFECTIVE DATE.** This section is effective January 1, 2025.

97.28 Sec. 47. **[332C.01] DEFINITIONS.**

97.29 Subdivision 1. **Application.** For purposes of this chapter, the following terms have the  
97.30 meanings given.

98.1 Subd. 2. **Collecting party.** "Collecting party" means a party engaged in the collection  
98.2 of medical debt. Collecting party does not include banks, credit unions, public officers,  
98.3 garnishees, and other parties complying with a court order or statutory obligation to garnish  
98.4 or levy a debtor's property.

98.5 Subd. 3. **Debtor.** "Debtor" means a person obligated or alleged to be obligated to pay  
98.6 any debt.

98.7 Subd. 4. **Medical debt.** "Medical debt" means debt incurred primarily for medically  
98.8 necessary health treatment or services. Medical debt does not include debt charged to a  
98.9 credit card unless the credit card is issued under a credit plan offered solely for the payment  
98.10 of health care treatment or services.

98.11 Subd. 5. **Medically necessary.** "Medically necessary" has the meaning given in section  
98.12 62J.805, subdivision 6.

98.13 Subd. 6. **Person.** "Person" means any individual, partnership, association, or corporation.

98.14 Sec. 48. **[332C.02] PROHIBITED PRACTICES.**

98.15 **No collecting party shall:**

98.16 (1) in a collection letter, publication, invoice, or any oral or written communication,  
98.17 threaten wage garnishment or legal suit by a particular lawyer, unless the collecting party  
98.18 has actually retained the lawyer to do so;

98.19 (2) use or employ sheriffs or any other officer authorized to serve legal papers in  
98.20 connection with the collection of a claim, except when performing legally authorized duties;

98.21 (3) use or threaten to use methods of collection which violate Minnesota law;

98.22 (4) furnish legal advice to debtors or represent that the collecting party is competent or  
98.23 able to furnish legal advice to debtors;

98.24 (5) communicate with debtors in a misleading or deceptive manner by falsely using the  
98.25 stationery of a lawyer, forms or instruments which only lawyers are authorized to prepare,  
98.26 or instruments which simulate the form and appearance of judicial process;

98.27 (6) publish or cause to be published any list of debtors, use shame cards or shame  
98.28 automobiles, advertise or threaten to advertise for sale any claim as a means of forcing  
98.29 payment thereof, or use similar devices or methods of intimidation;

99.1 (7) operate under a name or in a manner which falsely implies the collecting party is a  
99.2 branch of or associated with any department of federal, state, county, or local government  
99.3 or an agency thereof;

99.4 (8) transact business or hold itself out as a debt settlement company, debt management  
99.5 company, debt adjuster, or any person who settles, adjusts, prorates, pools, liquidates, or  
99.6 pays the indebtedness of a debtor, unless there is no charge to the debtor, or the pooling or  
99.7 liquidation is done pursuant to a court order or under the supervision of a creditor's  
99.8 committee;

99.9 (9) unless an exemption in the law exists, violate Code of Federal Regulations, title 12,  
99.10 part 1006, while attempting to collect on any account, bill, or other indebtedness. For  
99.11 purposes of this section, Public Law 95-109, and Code of Federal Regulations, title 12, part  
99.12 1006, apply to collecting parties;

- 99.13 (10) communicate with a debtor by use of an automatic telephone dialing system or an  
99.14 artificial or prerecorded voice after the debtor expressly informs the collecting party to cease  
99.15 communication utilizing an automatic telephone dialing system or an artificial or prerecorded  
99.16 voice. For purposes of this clause, an automatic telephone dialing system or an artificial or  
99.17 prerecorded voice includes but is not limited to (i) artificial intelligence chatbots, and (ii)  
99.18 the usage of the term under the Telephone Consumer Protection Act, United States Code,  
99.19 title 47, section 227(b)(1)(A);
- 99.20 (11) in collection letters or publications, or in any oral or written communication, imply  
99.21 or suggest that medically necessary health treatment or services will be denied as a result  
99.22 of a medical debt;
- 99.23 (12) when a debtor has a listed telephone number, enlist the aid of a neighbor or third  
99.24 party to request that the debtor contact the collecting party, except a person who resides  
99.25 with the debtor or a third party with whom the debtor has authorized with the collecting  
99.26 party to place the request. This clause does not apply to a callback message left at the debtor's  
99.27 place of employment which is limited solely to the collecting party's telephone number and  
99.28 name;
- 99.29 (13) when attempting to collect a medical debt, fail to provide the debtor with the full  
99.30 name of the collecting party, as registered with the secretary of state;
- 99.31 (14) fail to return any amount of overpayment from a debtor to the debtor or to the state  
99.32 of Minnesota pursuant to the requirements of chapter 345;
- 100.1 (15) accept currency or coin as payment for a medical debt without issuing an original  
100.2 receipt to the debtor and maintain a duplicate receipt in the debtor's payment records;
- 100.3 (16) attempt to collect any amount, including any interest, fee, charge, or expense  
100.4 incidental to the charge-off obligation, from a debtor unless the amount is expressly  
100.5 authorized by the agreement creating the medical debt or is otherwise permitted by law;
- 100.6 (17) falsify any documents with the intent to deceive;
- 100.7 (18) when initially contacting a Minnesota debtor by mail to collect a medical debt, fail  
100.8 to include a disclosure on the contact notice, in a type size or font which is equal to or larger  
100.9 than the largest other type of type size or font used in the text of the notice, that includes  
100.10 and identifies the Office of the Minnesota Attorney General's general telephone number,  
100.11 and states: "You have the right to hire your own attorney to represent you in this matter.";
- 100.12 (19) commence legal action to collect a medical debt outside the limitations period set  
100.13 forth in section 541.053;
- 100.14 (20) report to a credit reporting agency any medical debt which the collecting party  
100.15 knows or should know is or was originally owed to a health care provider, as defined in  
100.16 section 62J.805, subdivision 2; or

- 100.17 (21) challenge a debtor's claim of exemption to garnishment or levy in a manner that is  
100.18 baseless, frivolous, or otherwise in bad faith.
- 100.19 Sec. 49. **[332C.03] MEDICAL DEBT REPORTING PROHIBITED.**
- 100.20 (a) A collecting party is prohibited from reporting medical debt to a consumer reporting  
100.21 agency.
- 100.22 (b) A consumer reporting agency is prohibited from making a consumer report containing  
100.23 an item of information that the consumer reporting agency knows or should know concerns:
- 100.24 (1) medical information; or
- 100.25 (2) debt arising from:
- 100.26 (i) the provision of medical care, treatment, services, devices, medicines; or
- 100.27 (ii) procedures to maintain, diagnose, or treat a person's physical or mental health.
- 100.28 (c) For purposes of this section, "consumer report," "consumer reporting agency," and  
100.29 "medical information" have the meanings given in the Fair Credit Reporting Act, United  
100.30 States Code, title 15, section 1681a.
- 101.1 (d) This section applies to collection agencies and debt buyers licensed under chapter  
101.2 332.
- 101.3 Sec. 50. **[332C.04] DEFENDING MEDICAL DEBT CASES.**
- 101.4 A debtor who successfully defends against a claim for payment of medical debt that is  
101.5 alleged by a collecting party must be awarded the debtor's costs, including reasonable  
101.6 attorney fees as determined by the court, incurred in defending against the collecting party's  
101.7 claim for debt payment.
- 101.8 Sec. 51. **[332C.05] ENFORCEMENT.**
- 101.9 (a) The attorney general may enforce this chapter under section 8.31.
- 101.10 (b) A collecting party that violates this chapter is strictly liable to the debtor in question  
101.11 for the sum of:
- 101.12 (1) actual damage sustained by the debtor as a result of the violation;
- 101.13 (2) additional damages as the court may allow, but not exceeding \$1,000 per violation;  
101.14 and
- 101.15 (3) in the case of any successful action to enforce the foregoing, the costs of the action,  
101.16 together with reasonable attorney fees as determined by the court.
- 101.17 (c) A collecting party that willfully and maliciously violates this chapter is strictly liable  
101.18 to the debtor for three times the sums allowable under paragraph (b), clauses (1) and (2).

101.19 (d) The dollar amount limit under paragraph (b), clause (2), changes on July 1 of each  
101.20 even-numbered year in an amount equal to changes made in the Consumer Price Index,  
101.21 compiled by the United States Bureau of Labor Statistics. The Consumer Price Index for  
101.22 December 2024 is the reference base index. If the Consumer Price Index is revised, the  
101.23 percentage of change made under this section must be calculated on the basis of the revised  
101.24 Consumer Price Index. If a Consumer Price Index revision changes the reference base index,  
101.25 a revised reference base index must be determined by multiplying the reference base index  
101.26 that is effective at the time by the rebasing factor furnished by the Bureau of Labor Statistics.

101.27 (e) If the Consumer Price Index is superseded, the Consumer Price Index referred to in  
101.28 this section is the Consumer Price Index represented by the Bureau of Labor Statistics as  
101.29 most accurately reflecting changes in the prices paid by consumers for consumer goods and  
101.30 services.

102.1 (f) The attorney general must publish the base reference index under paragraph (c) in  
102.2 the State Register no later than September 1, 2024. The attorney general must calculate and  
102.3 publish the revised Consumer Price Index under paragraph (c) in the State Register no later  
102.4 than September 1 each even-numbered year.

102.5 (g) A collecting party may not be held liable in any action brought under this section if  
102.6 the collecting party shows by a preponderance of evidence that the violation: (1) was not  
102.7 intentional and resulted from a bona fide error made notwithstanding the maintenance of  
102.8 procedures reasonably adopted to avoid any such error; or (2) was the result of inaccurate  
102.9 or incorrect information provided to the collecting party by a health care provider, as defined  
102.10 in section 62J.805, subdivision 3; a health carrier, as defined in section 62A.011, subdivision  
102.11 2; or another collecting party currently or previously engaged in collection of the medical  
102.12 debt in question.

32.5 Sec. 28. Minnesota Statutes 2022, section 507.235, subdivision 1a, is amended to read:

32.6 Subd. 1a. **Requirements of vendor.** (a) A vendor entering into a contract for deed  
32.7 involving residential real property must, contemporaneously with the execution of the  
32.8 contract for deed:

32.9 (1) deliver to the vendee a copy of the contract for deed containing original signatures  
32.10 in recordable form; and

32.11 (2) (b) Within four months of executing the contract for deed, the vendor must:

32.12 (1) pay, or reimburse the vendee for payment of, any delinquent taxes necessary for  
32.13 recordation of the contract for deed, unless the contract for deed provides for the vendee to  
32.14 pay the delinquent taxes; and

32.15 (2) record the contract for deed in the office of the county recorder or registrar of titles  
32.16 in the county in which the land is located.

- 32.17 (c) The following statement included in a contract for deed for other than residential  
32.18 real property constitutes prima facie evidence that this subdivision does not apply: "The  
32.19 property is not residential real property."
- 32.20 (d) If the contract for deed is not in recordable form, within four months of the execution  
32.21 of the contract for deed the vendor must make a good faith effort to correct the defects that  
32.22 rendered the contract unrecordable. A good faith effort includes but is not limited to  
32.23 determining the reason or reasons the contract was not in recordable form, and revising and,  
32.24 if necessary, having all parties reexecute the contract to render it in recordable form. The  
32.25 vendee must, in good faith, cooperate with the vendor to the extent that cooperation is  
32.26 necessary to correct the defects.
- 32.27 ~~(b)~~ (e) For purposes of this subdivision:
- 32.28 (1) "contract for deed" means an executory contract for the conveyance of residential  
32.29 real property under which the seller provides financing for the purchase of the residential  
32.30 real property and under which the purchaser does or has a right to go into possession.  
32.31 Contract for deed does not include:
- 32.32 (i) a purchase agreement;
- 33.1 (ii) an earnest money contract;
- 33.2 (iii) an exercised option or a lease, including a lease with an option to purchase; or
- 33.3 (iv) a mortgage, as defined in section 287.01; and
- 33.4 (2) "residential real property" means real property ~~occupied, or intended to be occupied,~~  
33.5 ~~by one to four families, if the purchaser intends to occupy the real property, consisting of~~  
33.6 ~~one to four family dwelling units, one of which is intended to be occupied as the principal~~  
33.7 ~~place of residence by:~~
- 33.8 (i) the purchaser;
- 33.9 (ii) if the purchaser is an entity, the natural person who is the majority or controlling  
33.10 owner of the entity; or
- 33.11 (iii) if the purchaser is a trust, the settlor of the trust.
- 33.12 Residential real property does not include ~~property subject to a family farm security loan~~  
33.13 ~~or a transaction subject to sections 583.20 to 583.32.~~
- 33.14 (f) The performance of the obligations by the vendor required under this subdivision  
33.15 satisfies any of the obligations of the original vendee, as required under subdivision 1.
- 33.16 (g) The requirements of this subdivision may not be waived or altered by any provision  
33.17 in a contract for deed. A provision in a contract for deed to the contrary is void and  
33.18 unenforceable.

33.19 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to all contracts  
33.20 for deed executed by all parties on or after that date.

33.21 Sec. 29. Minnesota Statutes 2022, section 507.235, subdivision 5, is amended to read:

33.22 Subd. 5. **Civil enforcement.** (a) A city in which the land is located or, if the land is not  
33.23 located within a city, the county in which the land is located, may enforce the provisions  
33.24 of this section. The city or county may bring an action to compel the recording of a contract  
33.25 for deed or any assignments of a contract for deed, an action to impose the civil penalty, or  
33.26 an action to compel disclosure of information.

33.27 (b) Prior to bringing an action under this subdivision to compel recording or to impose  
33.28 the penalty, or an action under subdivision 4, the city or county must provide written notice  
33.29 to the person, subject to subdivision 1, of the person's duty to record the contract for deed  
33.30 or the assignment. If the person so notified fails to record the contract for deed or assignment  
33.31 documents within 14 days of receipt of the notice, an action may be brought.

34.1 (c) It is an affirmative defense in an enforcement action under this section that the contract  
34.2 for deed or assignment document is not recordable, or that section 272.121 prohibits the  
34.3 recording of the contract for deed or assignment, and that the defendant has provided to the  
34.4 city or county attorney true and correct copies of the documents within 14 days after receipt  
34.5 of the notice.

34.6 (d) In an action brought under this subdivision, the city or county attorney may recover  
34.7 costs and disbursements, including reasonable attorney fees.

34.8 **EFFECTIVE DATE.** This section is effective the day following final enactment.

34.9 Sec. 30. Minnesota Statutes 2022, section 513.73, subdivision 3, is amended to read:

34.10 Subd. 3. **Private transfer fee.** "Private transfer fee" means a fee or charge required by  
34.11 a private transfer fee obligation and payable upon the transfer of an interest in real property,  
34.12 or payable for the right to make or accept the transfer, regardless of whether the fee or  
34.13 charge is a fixed amount or is determined as a percentage of the value of the property, the  
34.14 purchase price, or other consideration given for the transfer. The following are not private  
34.15 transfer fees for purposes of this section:

34.16 (1) consideration payable by the grantee to the grantor for the interest in real property  
34.17 being transferred, including any subsequent additional consideration for the property payable  
34.18 by the grantee based upon any subsequent appreciation, development, or sale of the property,  
34.19 provided that the additional consideration is payable on a onetime basis only, and the  
34.20 obligation to make the payment does not bind successors in title to the property. For the  
34.21 purposes of this clause, an interest in real property may include a separate mineral estate  
34.22 and its appurtenant surface access rights;

34.23 (2) commission payable to a licensed real estate broker for the transfer of real property  
34.24 pursuant to an agreement between the broker and the grantor or the grantee, including any

- 34.25 subsequent additional commission for that transfer payable by the grantor or the grantee  
34.26 based upon any subsequent appreciation, development, or sale of the property;
- 34.27 (3) interest, charges, fees, or other amounts payable by a borrower to a lender pursuant  
34.28 to a loan secured by a mortgage against real property, including but not limited to a fee  
34.29 payable to the lender for consenting to an assumption of the loan or a transfer of the real  
34.30 property subject to the mortgage, fees, or charges payable to the lender for estoppel letters  
34.31 or certificates, and shared appreciation interest or profit participation or other consideration  
34.32 and payable to the lender in connection with the loan;
- 35.1 (4) rent, reimbursement, charge, fee, or other amount payable by a lessee to a lessor  
35.2 under a lease, including but not limited to a fee payable to the lessor for consenting to an  
35.3 assignment, subletting, encumbrance, or transfer of the lease;
- 35.4 (5) consideration payable to the holder of an option to purchase an interest in real property  
35.5 or the holder of a right of first refusal or first offer to purchase an interest in real property  
35.6 for waiving, releasing, or not exercising the option or right upon the transfer of the property  
35.7 to another person;
- 35.8 ~~(6) consideration payable by a contract for deed vendee to the vendor pursuant to the~~  
35.9 ~~terms of a recorded contract for deed, including any subsequent additional consideration~~  
35.10 ~~for the property payable by the vendee based upon any subsequent appreciation, development,~~  
35.11 ~~or sale of the property;~~
- 35.12 ~~(7)~~ (6) a tax, fee, charge, assessment, fine, or other amount payable to or imposed by a  
35.13 governmental authority;
- 35.14 ~~(8)~~ (7) a fee, charge, assessment, fine, or other amount payable to a homeowner's  
35.15 condominium, cooperative, mobile home, or property owner's association pursuant to a  
35.16 declaration or covenant or law applicable to the association, including but not limited to  
35.17 fees or charges payable for estoppel letters or certificates issued by the association or its  
35.18 authorized agent;
- 35.19 ~~(9)~~ (8) a fee, a charge, an assessment, dues, a contribution, or other amount pertaining  
35.20 to the purchase or transfer of a club membership relating to real property owned by the  
35.21 member, including but not limited to any amount determined by reference to the value,  
35.22 purchase price, or other consideration given for the transfer of the real property; and
- 35.23 ~~(10)~~ (9) a mortgage from the purchaser of real property granted to the seller or to a  
35.24 licensed real estate broker.
- 35.25 **EFFECTIVE DATE.** This section is effective the day following final enactment.

- 115.27 Sec. 58. **[513.80] RESIDENTIAL REAL ESTATE SERVICE AGREEMENTS;**  
115.28 **UNFAIR SERVICE AGREEMENTS.**
- 115.29 Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have  
115.30 the meanings given.
- 115.31 (b) "County recorder" has the meaning given in section 13.045, subdivision 1.
- 116.1 (c) "Person" means natural persons, corporations both foreign and domestic, trusts,  
116.2 partnerships both limited and general, incorporated or unincorporated associations,  
116.3 companies, business entities, and any other legal entity or any other group associated in fact  
116.4 although not a legal entity or any agent, assignee, heir, employee, representative, or servant  
116.5 thereof.
- 116.6 (d) "Record" or "recording" means placement of a document or instrument in the official  
116.7 county public land records.
- 116.8 (e) "Residential real property" means real property that is located in Minnesota occupied,  
116.9 or intended to be occupied, by one to four families as their residence.
- 116.10 (f) "Service agreement" means a contract under which a person agrees to provide real  
116.11 estate broker services as defined in section 82.55, subdivision 19, in connection with the  
116.12 purchase or sale of residential real property.
- 116.13 (g) "Service provider" means an individual or entity that provides services to a person  
116.14 pursuant to a service agreement.
- 116.15 Subd. 2. **Unfair service agreements; prohibition.** (a) A service agreement subject to  
116.16 this section is unfair and prohibited if any part of the agreement provides an exclusive right  
116.17 to a service provider for a term in excess of one year after the time the service agreement  
116.18 is entered into and:
- 116.19 (1) purports to run with the land or to be binding on future owners of interests in the real  
116.20 property;
- 116.21 (2) allows for assignment of the right to provide service without notice to and consent  
116.22 of the residential real property's owner, including a contract for deed vendee;
- 116.23 (3) is recorded or purports to create a lien, encumbrance, or other real property security  
116.24 interest; or
- 116.25 (4) contains a provision that purports to automatically renew the agreement upon its  
116.26 expiration.
- 116.27 (b) The following are not unfair service agreements under this section:
- 116.28 (1) a home warranty or similar product that covers the cost of maintaining a major home  
116.29 system or appliance for a fixed period;

- 116.30 (2) an insurance contract;
- 116.31 (3) a mortgage loan or a commitment to make or receive a mortgage loan;
- 117.1 (4) an option or right of refusal to purchase a residential real property;
- 117.2 (5) a declaration of any covenants, conditions, or restrictions created in the formation  
117.3 of a homeowners association, a group of condominium owners, or other common interest  
117.4 community or an amendment to the covenants, conditions, or restrictions;
- 117.5 (6) a maintenance or service agreement entered by a homeowners association in a  
117.6 common interest community;
- 117.7 (7) a security agreement governed by chapter 336 that relates to the sale or rental of  
117.8 personal property or fixtures; or
- 117.9 (8) a contract with a gas, water, sewer, electric, telephone, cable, or other utility service  
117.10 provider.
- 117.11 (c) This section does not impair any lien right granted under Minnesota law or that is  
117.12 judicially imposed.
- 117.13 Subd. 3. **Recording prohibited.** (a) A person is prohibited from:
- 117.14 (1) presenting or sending an unfair service agreement or notice or memorandum of an  
117.15 unfair service agreement to any county recorder to record; or
- 117.16 (2) causing an unfair service agreement or notice or memorandum of an unfair service  
117.17 agreement to be recorded by a county recorder.
- 117.18 (b) If a county recorder records an unfair service agreement, the county recorder does  
117.19 not incur liability.
- 117.20 (c) If an unfair service agreement is recorded, the recording does not create a lien or  
117.21 provide constructive notice to any third party, bona fide purchaser, or creditor.
- 117.22 Subd. 4. **Unfair service agreements unenforceable.** A service agreement that is unfair  
117.23 under this section is unenforceable and does not create a contractual obligation or relationship.  
117.24 Any waiver of a consumer right, including a right to trial by jury, in an unfair service  
117.25 agreement is void.
- 117.26 Subd. 5. **Unfair service agreements; solicitation.** Encouraging any consumer to enter  
117.27 into an unfair service agreement by any service provider constitutes:
- 117.28 (1) an unfair method of competition; and
- 117.29 (2) an unfair or deceptive act or practice under section 82.81, subdivision 12, paragraph  
117.30 (c), and section 325F.69.

118.1 Subd. 6. **Enforcement authority.** (a) This section may be enforced by the attorney  
118.2 general under section 8.31, except that any private cause of action brought under subdivision  
118.3 7 is subject to the limitation under subdivision 7, paragraph (d).

118.4 (b) The commissioner of commerce may enforce this section with respect to a service  
118.5 provider's real estate license.

118.6 Subd. 7. **Remedies.** (a) A consumer that is party to an unfair service agreement related  
118.7 to residential real property or a person with an interest in the property that is the subject of  
118.8 that agreement may bring an action under section 8.31 or 325F.70 in district court in the  
118.9 county where the property is located.

118.10 (b) If an unfair service agreement or a notice or memorandum of an unfair service  
118.11 agreement is recorded against any residential real property, any judgment obtained under  
118.12 this section, after being certified by the clerk having custody of the unfair service agreement  
118.13 or notice or memorandum of the unfair service agreement, may be recorded and indexed  
118.14 against the real property encumbered or clouded by the unfair service agreement.

118.15 (c) The remedies provided under this section are not exclusive and do not reduce any  
118.16 other rights or remedies a party may have in equity or in law.

118.17 (d) No private action may be brought under this section more than six years after the  
118.18 date the term printed in the unfair service agreement expires.

102.13 Sec. 52. Minnesota Statutes 2022, section 519.05, is amended to read:

102.14 **519.05 LIABILITY OF HUSBAND AND WIFE SPOUSES.**

102.15 (a) A spouse is not liable to a creditor for any debts of the other spouse. ~~Where husband~~  
102.16 ~~and wife are living together, they shall be jointly and severally liable for necessary medical~~  
102.17 ~~services that have been furnished to either spouse, including any claims arising under section~~  
102.18 ~~246.53, 256B.15, 256D.16, or 261.04, and necessary household articles and supplies furnished~~  
102.19 ~~to and used by the family.~~ Spouses are joint and severally liable for claims arising under  
102.20 section 256B.15. Notwithstanding this paragraph, in a proceeding under chapter 518 the  
102.21 court may apportion such debt between the spouses.

102.22 (b) Either spouse may close a credit card account or other unsecured consumer line of  
102.23 credit on which both spouses are contractually liable, by giving written notice to the creditor.

102.24 Sec. 53. Minnesota Statutes 2022, section 550.37, subdivision 2, is amended to read:

102.25 Subd. 2. ~~Bible and musical instrument~~ **Sacred possessions.** ~~The family Bible, library,~~  
102.26 ~~and musical instruments~~ Torah, Qur'an, prayer rug, other religious items in an aggregate  
102.27 amount not exceeding \$2,000.

- 102.28 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to causes  
102.29 of action commenced on or after that date.
- 103.1 Sec. 54. Minnesota Statutes 2022, section 550.37, is amended by adding a subdivision to  
103.2 read:
- 103.3 Subd. 2a. **Library.** A personal library in an aggregate amount not exceeding \$2,000.
- 103.4 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to causes  
103.5 of action commenced on or after that date.
- 103.6 Sec. 55. Minnesota Statutes 2022, section 550.37, is amended by adding a subdivision to  
103.7 read:
- 103.8 Subd. 2b. **Musical instruments.** Musical instruments in an aggregate amount not  
103.9 exceeding \$2,000.
- 103.10 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to causes  
103.11 of action commenced on or after that date.
- 103.12 Sec. 56. Minnesota Statutes 2022, section 550.37, subdivision 4, is amended to read:
- 103.13 Subd. 4. **Personal goods.** (a) All wearing apparel, one watch, utensils, and foodstuffs  
103.14 of the debtor and the debtor's family.
- 103.15 (b) Household furniture, household appliances, ~~phonographs, radio and television~~  
103.16 ~~receivers~~ radios, computers, tablets, televisions, printers, cell phones, smart phones, and  
103.17 other consumer electronics of the debtor and the debtor's family, not exceeding \$11,250 in  
103.18 value.
- 103.19 (c) The debtor's aggregate interest, not exceeding \$3,062.50 in value, in ~~wedding rings~~  
103.20 ~~or other religious or culturally recognized symbols of marriage exchanged between the~~  
103.21 ~~debtor and spouse at the time of the marriage and in the debtor's possession jewelry.~~
- 103.22 The exemption provided by this subdivision may not be waived except with regard to  
103.23 purchase money security interests. Except for a pawnbroker's possessory lien, a nonpurchase  
103.24 money security interest in the property exempt under this subdivision is void.
- 103.25 If a debtor has property of the type which would qualify for the exemption under clause  
103.26 (b), of a value in excess of \$11,250 an itemized list of the exempt property, together with  
103.27 the value of each item listed, shall be attached to the security agreement at the time a security  
103.28 interest is taken, and a creditor may take a nonpurchase money security interest in the excess  
103.29 over \$11,250 by requiring the debtor to select the exemption in writing at the time the loan  
103.30 is made.
- 104.1 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to causes  
104.2 of action commenced on or after that date.

- 104.3 Sec. 57. Minnesota Statutes 2022, section 550.37, subdivision 6, is amended to read:
- 104.4 Subd. 6. **Tools of trade.** The tools, implements, machines, vehicles, instruments, office
- 104.5 furniture, stock in trade, and library reasonably necessary in the trade, business, or profession
- 104.6 of the debtor, not exceeding \$12,500 in value.
- 104.7 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to causes
- 104.8 of action commenced on or after that date.
- 104.9 Sec. 58. Minnesota Statutes 2022, section 550.37, subdivision 12a, is amended to read:
- 104.10 Subd. 12a. **Motor vehicles.** One of the following: (1) one motor vehicle, to the extent
- 104.11 of a value not exceeding ~~\$5,000~~ \$10,000; (2) one motor vehicle that is regularly used by or
- 104.12 for the benefit of a physically disabled person, as defined under section 169.345, subdivision
- 104.13 2, to the extent of a value not exceeding \$25,000; or (3) one motor vehicle, to the extent of
- 104.14 a value not exceeding ~~\$50,000~~ \$100,000, that has been designed or modified, at a cost of
- 104.15 not less than \$3,750, to accommodate the physical disability making a disabled person
- 104.16 eligible for a certificate authorized by section 169.345.
- 104.17 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to causes
- 104.18 of action commenced on or after that date.
- 104.19 Sec. 59. Minnesota Statutes 2022, section 550.37, subdivision 14, is amended to read:
- 104.20 Subd. 14. **Public assistance.** All government assistance based on need, and the earnings
- 104.21 or salary of a person who is a recipient of government assistance based on need, shall be
- 104.22 exempt from all claims of creditors including any contractual setoff or security interest
- 104.23 asserted by a financial institution. For the purposes of this chapter, government assistance
- 104.24 based on need includes but is not limited to Minnesota family investment program;
- 104.25 Supplemental Security Income; medical assistance; received by the person or by the person's
- 104.26 dependent child; MinnesotaCare; received by the person or by the person's dependent child;
- 104.27 payment of Medicare part B premiums or receipt of part D extra help; MFIP diversionary
- 104.28 work program; work participation cash benefit; Minnesota supplemental assistance;
- 104.29 emergency Minnesota supplemental assistance; general assistance; emergency general
- 104.30 assistance; emergency assistance or county crisis funds; energy or fuel assistance; ~~and;~~
- 104.31 Supplemental Nutrition Assistance Program (SNAP); and the portion of any tax refund
- 104.32 attributable to a state or federal tax credit, including but not limited to the earned income
- 105.1 tax credit, state or federal child tax credit, Minnesota working family credit, renter's credit,
- 105.2 or any low-income tax credit. The salary or earnings of any debtor who is or has been an
- 105.3 eligible recipient of government assistance based on need, or an inmate of a correctional
- 105.4 institution shall, upon the debtor's return to private employment or farming after having
- 105.5 been an eligible recipient of government assistance based on need, or an inmate of a
- 105.6 correctional institution, be exempt from attachment, garnishment, or levy of execution for
- 105.7 a period of six months after the debtor's return to employment or farming and after all public
- 105.8 assistance for which eligibility existed has been terminated. Any portion of an income tax
- 105.9 refund consisting of income that was exempt when the income was earned is also exempt

105.10 under this subdivision. The exemption provisions contained in this subdivision also apply  
105.11 for 60 days after deposit in any financial institution, whether in a single or joint account. In  
105.12 tracing the funds, the first-in first-out method of accounting shall be used. The burden of  
105.13 establishing that funds are exempt rests upon the debtor. Agencies distributing government  
105.14 assistance and the correctional institutions shall, at the request of creditors, inform them  
105.15 whether or not any debtor has been an eligible recipient of government assistance based on  
105.16 need, or an inmate of a correctional institution, within the preceding six months.

105.17 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to causes  
105.18 of action commenced on or after that date.

105.19 Sec. 60. Minnesota Statutes 2022, section 550.37, subdivision 20, is amended to read:

105.20 Subd. 20. **Traceable funds.** The exemption of funds from creditors' claims, provided  
105.21 by subdivisions 9, 10, 11, 15, 22, and 24, shall not be affected by the subsequent deposit of  
105.22 the funds in a bank or any other financial institution, whether in a single or joint account,  
105.23 if the funds are traceable to ~~their~~ the funds' exempt source. In tracing the funds, the first-in  
105.24 first-out method of accounting shall be used. The burden of establishing that funds are  
105.25 exempt rests upon the debtor. No bank or other financial institution shall be liable for  
105.26 damages for complying with process duly issued out of any court for the collection of a  
105.27 debt even if the funds affected by the process are subsequently determined to have been  
105.28 exempt.

105.29 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to causes  
105.30 of action commenced on or after that date.

105.31 Sec. 61. Minnesota Statutes 2022, section 550.37, subdivision 22, is amended to read:

105.32 Subd. 22. **Rights of action.** Rights of action or money received for injuries to the person  
105.33 of the debtor or of a relative whether or not resulting in death. Injuries to the person include  
106.1 physical, mental, and emotional injuries. The exemption under this subdivision applies to  
106.2 the right to receive, annuities being paid, and money already received.

106.3 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to causes  
106.4 of action commenced on or after that date.

106.5 Sec. 62. Minnesota Statutes 2022, section 550.37, subdivision 23, is amended to read:

106.6 Subd. 23. **Life insurance aggregate interest.** The debtor's aggregate interest not to  
106.7 exceed in value \$10,000 in any accrued ~~dividend~~ dividends or interest under or loan value  
106.8 of any unmaturing life insurance ~~contract~~ contracts owned by the debtor under which the  
106.9 insured is the debtor or an individual of whom the debtor is a dependent.

106.10 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to causes  
106.11 of action commenced on or after that date.

106.12 Sec. 63. Minnesota Statutes 2022, section 550.37, is amended by adding a subdivision to  
106.13 read:

106.14 Subd. 27. **Household tools and equipment.** The debtor's aggregate interest, not to  
106.15 exceed \$3,000, in household tools and equipment, including but not limited to hand and  
106.16 power tools, snow removal equipment, and lawnmowers.

106.17 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to causes  
106.18 of action commenced on or after that date.

106.19 Sec. 64. Minnesota Statutes 2022, section 550.37, is amended by adding a subdivision to  
106.20 read:

106.21 Subd. 28. **Property tax refunds.** Any refund due under chapter 290A, up to a present  
106.22 value of \$3,000.

106.23 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to causes  
106.24 of action commenced on or after that date.

106.25 Sec. 65. Minnesota Statutes 2022, section 550.37, is amended by adding a subdivision to  
106.26 read:

106.27 Subd. 29. **Funds in a depository account.** An amount up to an aggregate of \$4,000 in  
106.28 financial institutions in which the debtor has a depository account, regardless of the sources  
106.29 of the money, is exempt from garnishment under sections 571.91 to 571.915. The exemption  
107.1 under this subdivision must not be claimed in conjunction with the exemption under  
107.2 subdivision 30.

107.3 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to  
107.4 garnishment levied on or after that date.

107.5 Sec. 66. Minnesota Statutes 2022, section 550.37, is amended by adding a subdivision to  
107.6 read:

107.7 Subd. 30. **Wild card exemption in bankruptcy.** In a bankruptcy, a debtor may exempt  
107.8 any property, including money in a bank account, up to \$4,000 in value. A debtor is  
107.9 prohibited from claiming the exemption under this subdivision if the debtor is already  
107.10 protecting money in a bank account under subdivision 29, and the debtor is prohibited from  
107.11 using this subdivision in conjunction with subdivision 29.

107.12 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to exemptions  
107.13 claimed on or after that date.

107.14 Sec. 67. **[550.3711] MOTOR VEHICLE; BANKRUPTCY DEBTOR'S RIGHT TO**  
107.15 **RETAIN.**

107.16 Subdivision 1. **No default.** If a buyer does not default in performing the buyer's  
107.17 obligations under the contract, the seller or holder is prohibited from (1) accelerating the

107.18 maturity of part or the entire amount due under the contract, or (2) repossessing the motor  
107.19 vehicle.

107.20 Subd. 2. **Bankruptcy.** (a) Neither of the following constitutes a default in the performance  
107.21 of the buyer's obligations under the contract: (1) the buyer or another individual liable under  
107.22 the contract files a petition commencing a case for bankruptcy under United States Code,  
107.23 title 11; or (2) the buyer or another individual liable under the contract is a debtor in  
107.24 bankruptcy.

107.25 (b) The act or status under paragraph (a), clauses (1) and (2), with respect to the buyer  
107.26 or another individual liable on the contract, must not be used by a seller or holder to: (1)  
107.27 accelerate the maturity of a portion of or the entire amount due under the contract; or (2)  
107.28 repossess the motor vehicle.

107.29 (c) A contract provision that states an act or status under paragraph (a), clauses (1) and  
107.30 (2), with respect to the buyer or another individual liable on the contract, constitutes a default  
107.31 is void and unenforceable.

108.1 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to causes  
108.2 of action commenced on or after that date.

108.3 Sec. 68. Minnesota Statutes 2022, section 550.39, is amended to read:

108.4 **550.39 EXEMPTION OF INSURANCE POLICIES.**

108.5 The net amount payable to any insured or to any beneficiary under any policy of accident  
108.6 or disability insurance or under accident or disability clauses attached to any policy of life  
108.7 insurance shall be exempt and free and clear from the claims of all creditors of such insured  
108.8 or such beneficiary and from all legal and judicial processes of execution, attachment,  
108.9 garnishment, or otherwise, up to a total amount of \$1,000,000 per claim and subsequent  
108.10 award.

35.26 Sec. 31. Minnesota Statutes 2022, section 559.21, subdivision 2a, is amended to read:

35.27 Subd. 2a. **For post 7/31/1985 contract.** If a default occurs in the conditions of a contract  
35.28 for the conveyance of real estate or an interest in real estate executed on or after August 1,  
35.29 1985, that gives the seller a right to terminate it, the seller may terminate the contract by  
35.30 serving upon the purchaser or the purchaser's personal representatives or assigns, within or  
35.31 outside of the state, a notice specifying the conditions in which default has been made. The  
35.32 notice must state that the contract will terminate 60 days, or a shorter period allowed or a  
36.1 longer period required in subdivision 4, after the service of the notice, unless prior to the  
36.2 termination date the purchaser:

36.3 (1) complies with the conditions in default;

36.4 (2) makes all payments due and owing to the seller under the contract through the date  
36.5 that payment is made;

36.6 (3) pays the costs of service of the notice, including the reasonable costs of service by  
36.7 sheriff, public officer, or private process server; except payment of costs of service is not  
36.8 required unless the seller notifies the purchaser of the actual costs of service by certified  
36.9 mail to the purchaser's last known address at least ten days prior to the date of termination;

36.10 (4) except for earnest money contracts, purchase agreements, and exercised options,  
36.11 pays two percent of any amount in default at the time of service, not including the final  
36.12 balloon payment, any taxes, assessments, mortgages, or prior contracts that are assumed by  
36.13 the purchaser; and

36.14 (5) if the contract for deed is executed on or after August 1, 2024, pays an amount to  
36.15 apply on attorney fees actually expended or incurred of \$1,000; if the contract is executed  
36.16 on or after August 1, 1999, and before August 1, 2024, pays an amount to apply on attorneys'  
36.17 attorney fees actually expended or incurred, of \$250 if the amount in default is less than  
36.18 \$1,000, and of \$500 if the amount in default is \$1,000 or more; or if the contract is executed  
36.19 before August 1, 1999, pays an amount to apply on attorneys' attorney fees actually expended  
36.20 or incurred, of \$125 if the amount in default is less than \$750, and of \$250 if the amount in  
36.21 default is \$750 or more; except that no amount for attorneys' fees is required to be paid  
36.22 unless some part of the conditions of default has existed for at least 30 days prior to the date  
36.23 of service of the notice.

36.24 **EFFECTIVE DATE.** This section is effective August 1, 2024.

36.25 Sec. 32. Minnesota Statutes 2022, section 559.21, subdivision 4, is amended to read:

36.26 Subd. 4. **Law prevails over contract; procedure; conditions.** (a) The notice required  
36.27 by this section must be given notwithstanding any provisions in the contract to the contrary,  
36.28 except that (1) earnest money contracts, purchase agreements, and exercised options that  
36.29 are subject to this section may, unless by their terms they provide for a longer termination  
36.30 period, be terminated on 30 days' notice, or may be canceled under section 559.217 and (2)  
36.31 contracts for deed executed by an investor seller shall be terminated on 90 days' notice. The  
36.32 notice must be served within the state in the same manner as a summons in the district court,  
36.33 and outside of the state, in the same manner, and without securing any sheriff's return of  
37.1 not found, making any preliminary affidavit, mailing a copy of the notice or doing any other  
37.2 preliminary act or thing whatsoever. Service of the notice outside of the state may be proved  
37.3 by the affidavit of the person making the same, made before an authorized officer having  
37.4 a seal, and within the state by such an affidavit or by the return of the sheriff of any county  
37.5 therein.

37.6 (b) If a person to be served is a resident individual who has departed from the state, or  
37.7 cannot be found in the state; or is a nonresident individual or a foreign corporation,  
37.8 partnership, or association, service may be made by publication as provided in this paragraph.  
37.9 Three weeks' published notice has the same effect as personal service of the notice. The  
37.10 published notice must comply with subdivision 3 and state (1) that the person to be served  
37.11 is allowed 90 days after the first date of publication of the notice to comply with the  
37.12 conditions of the contract, and (2) that the contract will terminate 90 days after the first date

37.13 of publication of the notice, unless before the termination date the purchaser complies with  
37.14 the notice. If the real estate described in the contract is actually occupied, then, in addition  
37.15 to publication, a person in possession must be personally served, in like manner as the  
37.16 service of a summons in a civil action in state district court, within 30 days after the first  
37.17 date of publication of the notice. If an address of a person to be served is known, then within  
37.18 30 days after the first date of publication of the notice a copy of the notice must be mailed  
37.19 to the person's last known address by first class mail, postage prepaid.

37.20 (c) The contract is reinstated if, within the time mentioned, the person served:

37.21 (1) complies with the conditions in default;

37.22 (2) if subdivision 1d or 2a applies, makes all payments due and owing to the seller under  
37.23 the contract through the date that payment is made;

37.24 (3) pays the costs of service as provided in subdivision 1b, 1c, 1d, or 2a;

37.25 (4) if subdivision 2a applies, pays two percent of the amount in default, not including  
37.26 the final balloon payment, any taxes, assessments, mortgages, or prior contracts that are  
37.27 assumed by the purchaser; and

37.28 (5) pays attorneys' fees as provided in subdivision 1b, 1c, 1d, or 2a.

37.29 (d) The contract is terminated if the provisions of paragraph (c) are not met.

37.30 (e) In the event that the notice was not signed by an attorney for the seller and the seller  
37.31 is not present in the state, or cannot be found in the state, then compliance with the conditions  
37.32 specified in the notice may be made by paying to the court administrator of the district court  
37.33 in the county wherein the real estate or any part thereof is situated any money due and filing  
38.1 proof of compliance with other defaults specified, and the court administrator of the district  
38.2 court shall be deemed the agent of the seller for such purposes. A copy of the notice with  
38.3 proof of service thereof, and the affidavit of the seller, the seller's agent or attorney, showing  
38.4 that the purchaser has not complied with the terms of the notice, may be recorded with the  
38.5 county recorder or registrar of titles, and is prima facie evidence of the facts stated in it; but  
38.6 this section in no case applies to contracts for the sale or conveyance of lands situated in  
38.7 another state or in a foreign country. If the notice is served by publication, the affidavit must  
38.8 state that the affiant believes that the party to be served is not a resident of the state, or  
38.9 cannot be found in the state, and either that the affiant has mailed a copy of the notice by  
38.10 first class mail, postage prepaid, to the party's last known address, or that such address is  
38.11 not known to the affiant.

38.12 (f) No notice under this section may be given for a contract for deed executed by an  
38.13 investor seller unless, at least 30 days prior to the service of the notice, some part of the  
38.14 conditions of default has existed and the investor seller has notified the purchaser of the  
38.15 conditions of default by certified mail to the purchaser's last known address.

38.16 (g) For purposes of this subdivision, "investor seller" has the meaning given in section  
38.17 559A.01, subdivision 5.

38.18 **EFFECTIVE DATE.** This section is effective August 1, 2024.

38.19 Sec. 33. Minnesota Statutes 2022, section 559.21, is amended by adding a subdivision to  
38.20 read:

38.21 Subd. 4a. **Termination prohibited for certain transfers regarding residential real**  
38.22 **property.** (a) Notwithstanding any provisions in a contract for deed to the contrary, the  
38.23 notice under this section may not be given and no other remedies may be exercised for any  
38.24 contract for deed based on any of the following transfers:

38.25 (1) a transfer on death deed conveying or assigning the deceased purchaser's interest in  
38.26 the property to a grantee beneficiary;

38.27 (2) a transfer by devise, descent, or operation of law on the death of a joint tenant occurs;

38.28 (3) a transfer by which the spouse or a child of the purchaser becomes an owner of the  
38.29 property;

38.30 (4) a transfer resulting from a decree of a dissolution of marriage, legal separation  
38.31 agreement, or from an incidental property settlement agreement, by which the spouse of  
38.32 the purchaser becomes an owner of the property; or

39.1 (5) a transfer into an inter vivos trust by which the purchaser is and remains a beneficiary  
39.2 and that does not relate to a transfer of rights of occupancy in the property.

39.3 (b) For the purposes of this subdivision, "contract for deed" has the meaning given in  
39.4 section 507.235, subdivision 1a, paragraph (e).

39.5 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to all contracts  
39.6 for deed executed by all parties on or after that date.

39.7 Sec. 34. Minnesota Statutes 2022, section 559.21, is amended by adding a subdivision to  
39.8 read:

39.9 Subd. 4b. **Termination prohibited if vendor fails to record contracts for deed**  
39.10 **involving residential real property.** (a) Notwithstanding subdivision 2a or any provision  
39.11 to the contrary in a contract for deed, a vendor may not terminate a contract for deed under  
39.12 this section if the contract has not been recorded as required under section 507.235,  
39.13 subdivision 1a, paragraph (b), and the vendor has failed to make a good faith effort to record  
39.14 the contract as provided under section 507.235, subdivision 1a, paragraph (d).

39.15 (b) Nothing contained in this subdivision prohibits judicial termination of a contract for  
39.16 deed.

39.17 (c) For the purposes of this subdivision, "contract for deed" has the meaning given in  
39.18 section 507.235, subdivision 1a, paragraph (e).

39.19 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to all contracts  
39.20 for deed executed by all parties on or after that date.

39.21 Sec. 35. Minnesota Statutes 2022, section 559.21, is amended by adding a subdivision to  
39.22 read:

39.23 Subd. 9. **Affidavit of seller constituting prima facie evidence.** In any instance where  
39.24 the copy of the notice of default, proof of service of the notice, and an affidavit showing  
39.25 that the purchaser has not complied with the terms of the notice have been or may be  
39.26 recorded, an affidavit of the seller, the seller's agent, or the attorney verified by a person  
39.27 having knowledge of the facts and attesting that the seller is not an investor seller or that  
39.28 the seller has complied with the requirements of subdivision 4, paragraph (f), may be recorded  
39.29 with the county recorder or registrar of titles and is prima facie evidence of the facts stated  
39.30 in the affidavit.

39.31 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to contracts  
39.32 for deed executed by all parties on or after that date.

40.1 Sec. 36. Minnesota Statutes 2022, section 559.211, subdivision 1, is amended to read:

40.2 Subdivision 1. **Order; proceedings; security.** (a) In an action arising under or in relation  
40.3 to a contract for the conveyance of real estate or any interest therein, the district court,  
40.4 notwithstanding the service or publication pursuant to the provisions of section 559.21 of  
40.5 a notice of termination of the contract, has the authority at any time prior to the effective  
40.6 date of termination of the contract and subject to the requirements of rule 65 of the Rules  
40.7 of Civil Procedure for the District Courts to enter an order temporarily restraining or enjoining  
40.8 further proceedings to effectuate the termination of the contract, including recording of the  
40.9 notice of termination with proof of service, recording of an affidavit showing noncompliance  
40.10 with the terms of the notice, taking any action to recover possession of the real estate, or  
40.11 otherwise interfering with the purchaser's lawful use of the real estate. In the action, the  
40.12 purchaser may plead affirmatively any matter that would constitute a defense to an action  
40.13 to terminate the contract.

40.14 (b) Upon a motion for a temporary restraining order the court has the discretion,  
40.15 notwithstanding any rule of court to the contrary, to grant the order without requiring the  
40.16 giving of any security or undertaking, and in exercising that discretion, the court shall  
40.17 consider, as one factor, the moving party's ability to afford monetary security. Upon a motion  
40.18 for a temporary injunction, the court shall condition the granting of the order either upon  
40.19 the tender to the court or vendor of installments as they become due under the contract or  
40.20 upon the giving of other security in a sum as the court deems proper. Upon written  
40.21 application, the court may disburse from payments tendered to the court an amount the court  
40.22 determines necessary to insure the timely payment of property taxes, property insurance,  
40.23 installments of special assessments, mortgage installments, prior contract for deed

40.24 installments or other similar expenses directly affecting the real estate, or for any other  
40.25 purpose the court deems just.

40.26 (c) If a temporary restraining order or injunction is granted pursuant to this subdivision,  
40.27 the contract shall not terminate until the expiration of 15 days after the entry of the order  
40.28 or decision dissolving or modifying the temporary restraining order or injunction. If the  
40.29 vendor has made an appearance and the restraining order or injunction is granted, the court  
40.30 may award court filing fees, reasonable attorney fees, and costs of service to the purchaser.

40.31 (d) If the court subsequently grants permanent relief to the purchaser or determines by  
40.32 final order or judgment that the notice of termination was invalid or the purchaser asserted  
40.33 a valid defense, the purchaser is entitled to an order granting court filing fees, reasonable  
40.34 attorney fees, and costs of service.

41.1 **EFFECTIVE DATE.** This section is effective August 1, 2024.

41.2 Sec. 37. Minnesota Statutes 2022, section 559.213, is amended to read:

41.3 **559.213 PRIMA FACIE EVIDENCE OF TERMINATION.**

41.4 The recording, heretofore or hereafter, of the copy of notice of default, proof of service  
41.5 thereof, and the affidavit showing that the purchaser has not complied with the terms of the  
41.6 notice, provided for by ~~Minnesota Statutes 1941,~~ section 559.21, shall be prima facie evidence  
41.7 that the contract referred to in such notice has been terminated. It is not necessary to pay  
41.8 current or delinquent real estate taxes owed on the real property that is the subject of the  
41.9 contract to record the documents required by this section, provided that the documents must  
41.10 be first presented to the county auditor for entry upon the transfer record and must have  
41.11 "Transfer Entered" noted in the documents over the county auditor's official signature.

41.12 **EFFECTIVE DATE.** This section is effective the day following final enactment.

41.13 Sec. 38. **[559A.01] CONTRACTS FOR DEED INVOLVING INVESTOR SELLERS**  
41.14 **AND RESIDENTIAL REAL PROPERTY; DEFINITIONS.**

41.15 Subdivision 1. **Application.** The definitions in this section apply to sections 559A.01  
41.16 to 559A.05.

41.17 Subd. 2. **Balloon payment.** "Balloon payment" means a scheduled payment of principal,  
41.18 interest, or both under a contract for deed that is significantly larger than the regular  
41.19 installment payments and that may be due prior to the end of the contract term or may be  
41.20 the final payment that satisfies the contract.

41.21 Subd. 3. **Churning.** "Churning" means the act of an investor seller executing a contract  
41.22 for deed on or after August 1, 2024, if previously the investor had frequently or repeatedly  
41.23 executed contracts for deed and subsequently terminated the contracts under section 559.21.

- 41.24 Subd. 4. **Contract for deed.** "Contract for deed" has the meaning given in section  
41.25 507.235, subdivision 1a.
- 41.26 Subd. 5. **Investor seller.** (a) "Investor seller" means a person entering into a contract  
41.27 for deed to sell residential real property or, in the event of a transfer or assignment of the  
41.28 seller's interest, the holder of the interest.
- 41.29 (b) An investor seller does not include a person entering into a contract for deed who  
41.30 is:
- 42.1 (1) a natural person who has owned and occupied the residential real property as the  
42.2 natural person's primary residence for a continuous 12-month period at any time prior to  
42.3 the execution of the contract for deed;
- 42.4 (2) any spouse, parent, child, sibling, grandparent, grandchild, uncle, aunt, niece, nephew,  
42.5 or cousin of the natural person;
- 42.6 (3) a personal representative of the natural person;
- 42.7 (4) a devisee of the natural person;
- 42.8 (5) a grantee under a transfer on death deed made by the natural person;
- 42.9 (6) a trust whose settlor is the natural person;
- 42.10 (7) a trust whose beneficiary is (i) a natural person where the trust or the natural person,  
42.11 or a combination of the two, has owned and the natural person has occupied the residential  
42.12 real property as the natural person's primary residence for a continuous 12-month period at  
42.13 any time prior to the execution of the contract for deed, or (ii) any spouse, parent, child,  
42.14 sibling, grandparent, grandchild, uncle, aunt, niece, nephew, or cousin of the natural person;
- 42.15 (8) a natural person selling on contract for deed to any spouse, parent, child, sibling,  
42.16 grandparent, grandchild, uncle, aunt, niece, nephew, or cousin;
- 42.17 (9) a bank, credit union, or residential mortgage originator that is under the supervision  
42.18 of or regulated by the Office of the Comptroller of the Currency, the Federal Deposit  
42.19 Insurance Corporation, the National Credit Union Administration, or the Minnesota  
42.20 Department of Commerce; and
- 42.21 (10) a natural person who has owned and leased the residential real property to the  
42.22 purchaser for at least the prior two years.
- 42.23 (c) If, substantially contemporaneous with the execution of the contract for deed, the  
42.24 seller's interest is assigned or transferred to a person who does not meet any of the  
42.25 qualifications of paragraph (b), the assignee or transferee is deemed an investor seller who  
42.26 has executed the contract for deed.

- 42.27 Subd. 6. **Person.** "Person" means a natural person, partnership, corporation, limited  
42.28 liability company, association, trust, or other legal entity, however organized.
- 42.29 Subd. 7. **Purchase agreement.** "Purchase agreement" means a purchase agreement for  
42.30 a contract for deed, an earnest money contract, or an executed option contemplating that,  
42.31 at closing, the investor seller and the purchaser will enter into a contract for deed.
- 43.1 Subd. 8. **Purchaser.** "Purchaser" means a person who executes a contract for deed to  
43.2 purchase residential real property. Purchaser includes all purchasers who execute the same  
43.3 contract for deed to purchase residential real property.
- 43.4 Subd. 9. **Residential real property.** "Residential real property" means real property  
43.5 consisting of one to four family dwelling units, one of which is intended to be occupied as  
43.6 the principal place of residence by:
- 43.7 (1) the purchaser;
- 43.8 (2) if the purchaser is an entity, the natural person who is the majority or controlling  
43.9 owner of the entity; or
- 43.10 (3) if the purchaser is a trust, the settlor or beneficiary of the trust.
- 43.11 Residential real property does not include a transaction subject to sections 583.20 to 583.32.
- 43.12 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to contracts  
43.13 for deed executed by all parties on or after that date.
- 43.14 Sec. 39. **[559A.02] APPLICABILITY.**
- 43.15 This chapter applies only to residential real property where a purchaser is entering into  
43.16 a contract for deed with an investor seller. Either of the following statements included in a  
43.17 contract for deed in which the property is not residential real property or the seller is not an  
43.18 investor seller constitutes prima facie evidence that this chapter does not apply to the contract  
43.19 for deed: "The property is not residential real property" or "The seller is not an investor  
43.20 seller." A person examining title to the property may rely on either statement.
- 43.21 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to contracts  
43.22 for deed executed by all parties on or after that date.
- 43.23 Sec. 40. **[559A.03] CONTRACTS FOR DEED INVOLVING INVESTOR SELLERS**  
43.24 **AND RESIDENTIAL REAL PROPERTY; DISCLOSURES.**
- 43.25 Subdivision 1. **Disclosures required.** (a) In addition to the disclosures required under  
43.26 sections 513.52 to 513.61, an investor seller must deliver to a prospective purchaser the  
43.27 disclosures specified under this section and instructions for cancellation as provided under  
43.28 section 559A.04, subdivision 2, paragraph (b).
- 43.29 (b) The disclosures must be affixed to the front of any purchase agreement executed  
43.30 between an investor seller and a prospective purchaser. The investor seller may not enter

43.31 into a contract for deed with a prospective purchaser earlier than ten calendar days after the  
44.1 execution of the purchase agreement by all parties and provision by the investor seller of  
44.2 the disclosures required under this section and instructions for cancellation as required under  
44.3 section 559A.04, subdivision 2, paragraph (b).

44.4 (c) If there is no purchase agreement, an investor seller must provide the disclosures  
44.5 required under this section to the prospective purchaser no less than ten calendar days before  
44.6 the prospective purchaser executes the contract for deed. The disclosures must be provided  
44.7 in a document separate from the contract for deed. The investor seller may not enter into a  
44.8 contract for deed with a prospective purchaser earlier than ten calendar days after providing  
44.9 the disclosures to the prospective purchaser.

44.10 (d) The first page of the disclosures must contain the disclosures required in subdivisions  
44.11 2, 3, and 4, in that order. The title must be centered, be in bold, capitalized, and underlined  
44.12 20-point type, and read "IMPORTANT INFORMATION YOU NEED TO KNOW." The  
44.13 disclosures required under subdivisions 5 and 6 must follow in subsequent pages in that  
44.14 order.

44.15 (e) The investor seller must acknowledge delivery and the purchaser must acknowledge  
44.16 receipt of the disclosures by signing and dating the disclosures. The acknowledged disclosures  
44.17 constitute prima facie evidence that the disclosures have been provided as required by this  
44.18 section.

44.19 Subd. 2. **Disclosure of balloon payment.** (a) The investor seller must disclose the  
44.20 amount and due date of, if any, all balloon payments. For purposes of disclosure of a balloon  
44.21 payment, the investor seller may assume that all prior scheduled payments were timely  
44.22 made and no prepayments were made. If there is more than one balloon payment due, each  
44.23 balloon payment must be listed separately.

44.24 (b) The disclosure must be in the following form, with the title in 14-point type and the  
44.25 text in 12-point type:

**"BALLOON PAYMENT**

44.27 This contract contains a lump-sum balloon payment or several balloon payments. When  
44.28 the final balloon payment comes due, you may need to get a mortgage or other financing  
44.29 to pay it off, or you will have to sell the property. Even if you are able to sell the property,  
44.30 you may not get back all the money you paid for it.

44.31 If you cannot come up with this large amount - even if you have made all your monthly  
44.32 payments - the seller can cancel the contract.

44.33 **Amount of Balloon Payment** **When Balloon Payment is Due**

45.1 \$ (amount) (month, year)"

45.2 Subd. 3. **Disclosure of price paid by investor seller to acquire property.** (a) The  
45.3 investor seller must disclose to the purchaser the purchase price and the date of earliest  
45.4 acquisition of the property by the investor seller, unless the acquisition occurs more than  
45.5 two years prior to the execution of the contract for deed.

45.6 (b) The disclosure must be in the following form, with the title in 14-point type and the  
45.7 text in 12-point type:

45.8 **"INVESTOR SELLER'S PRICE TO BUY HOUSE BEING SOLD TO BUYER**  
45.9 **Date Investor Seller Acquired Property:**  
45.10 (date seller acquired ownership)  
45.11 **Price Paid by Investor Seller to Acquire the Property:**  
45.12 \$ (total purchase price paid by seller to acquire ownership)  
45.13 **Contract for Deed Purchase Price:**  
45.14 \$ (total sale price to the purchaser under the contract)"

45.15 (c) For the purposes of this subdivision, unless the acquisition occurred more than two  
45.16 years prior to the execution of the contract for deed, the person who first acquires the property  
45.17 is deemed to be the same person as the investor seller where the person who first acquires  
45.18 the property:

45.19 (1) is owned or controlled, in whole or in part, by the investor seller;  
45.20 (2) owns or controls, in whole or in part, the investor seller;  
45.21 (3) is under common ownership or control, in whole or in part, with the investor seller;  
45.22 (4) is a spouse, parent, child, sibling, grandparent, grandchild, uncle, aunt, niece, nephew,  
45.23 or cousin of the investor seller, or of the natural person who owns or controls, in whole or  
45.24 in part, the investor seller; or

45.25 (5) is an entity owned or controlled, in whole or in part, by a person who is a spouse,  
45.26 parent, child, sibling, grandparent, grandchild, uncle, aunt, niece, nephew, or cousin of the  
45.27 investor seller, or of the natural person who owns or controls, in whole or in part, the investor  
45.28 seller.

45.29 Subd. 4. **Disclosure of other essential terms.** (a) An investor seller must disclose to  
45.30 the prospective purchaser the purchase price, the annual interest rate, the amount of any  
45.31 down payment, and whether the purchaser is responsible for any or all of the following:  
46.1 paying property taxes, acquiring homeowner's insurance, making repairs, and maintaining  
46.2 the property.

46.3 (b) The disclosure must be in the following form, with the title in 14-point type and the  
46.4 text in 12-point type:

46.5 **"COSTS AND ESSENTIAL TERMS"**

- 46.6 **1. Purchase Price:** \$ (price)
- 46.7 **2. Annual Interest Rate:** (interest rate) %
- 46.8 **3. Down Payment:** \$ (down payment)
- 46.9 **4. Monthly/Period Installments:** \$ (amount of installment payment)
- 46.10 **5. Taxes, Homeowner's Insurance, Repairs**  
46.11 **and Maintenance:**

46.12 You (seller must circle one):

- 46.13 **(a) DO** **DO NOT** **have to pay property taxes**
- 46.14 **(b) DO** **DO NOT** **have to pay homeowner's**  
46.15 **insurance**
- 46.16 **(c) ARE** **ARE NOT** **responsible for repairs and**  
46.17 **maintenance."**

46.18 Subd. 5. **General disclosure.** (a) An investor seller must provide the prospective  
46.19 purchaser with a general disclosure about contracts for deeds as provided in this subdivision.

46.20 (b) The disclosure must be in the following form, with the title in 18-point type, the titles  
46.21 of the sections in 14-point type and underlined, and the text of each section in 12-point type,  
46.22 with a double space between each section:

46.23 **"KNOW WHAT YOU ARE GETTING INTO BEFORE YOU SIGN"**

46.24 **1. How Contracts for Deed Work**

46.25 A contract for deed is a complicated legal arrangement. Be sure you know exactly what  
46.26 you are getting into before you sign a contract for deed. A contract for deed is **NOT** a  
46.27 mortgage. Minnesota's foreclosure protections do **NOT** apply.

46.28 **You should get advice from a lawyer or the Minnesota Homeownership Center**  
46.29 **before you sign the contract. You can contact the Homeownership Center at**  
46.30 **1-(866)-462-6466 or go to [www.hocmn.org](http://www.hocmn.org).**

46.31 **2. What If I Can't Make My Payments?**

46.32 If you do not make your monthly installment payment or the balloon payment, the seller  
46.33 can cancel the contract beginning only 120 days from the date you missed the payment. If  
47.1 the contract is canceled, you lose your home and all the money you have paid, including  
47.2 any down payment, all the monthly payments, and any improvements to the property  
47.3 you have made.

47.4 If the contract contains a final lump-sum balloon payment, you will need to get a mortgage  
47.5 or other financing to pay it off, or you will have to sell the property. If you can't come up  
47.6 with this large amount - even if you have made all your monthly payments - the seller can  
47.7 cancel the contract. Even if you are able to sell the property, you may not get back all  
47.8 the money you have paid for it.

47.9 **3. BEFORE YOU SIGN, YOU SHOULD:**

47.10 **A. Get an Independent, Professional Appraisal** of the property to learn what it is  
47.11 worth and make sure you are not overpaying for the house.

47.12 **B. Get an Independent, Professional Inspection** of the property because you will  
47.13 probably be responsible for maintaining and making repairs on the house.

47.14 **C. Buy Title Insurance** from a title insurance company or ask a lawyer for a "title  
47.15 opinion" to address or minimize potential title problems.

47.16 **4. YOUR RIGHTS BEFORE YOU SIGN**

47.17 **A. Waiting Period After Getting Disclosures.** There is a ten calendar day waiting  
47.18 period after you get these disclosures. The contract for deed cannot be signed by you or the  
47.19 seller during that ten calendar day period.

47.20 **B. Canceling a Purchase Agreement.** You have ten calendar days after you get these  
47.21 disclosures to cancel your purchase agreement and get back any money you paid."

47.22 Subd. 6. **Amortization schedule.** In a document separate from all other documents, an  
47.23 investor seller must provide to the prospective purchaser an amortization schedule consistent  
47.24 with the contract for deed, including the portion of each installment payment applied to  
47.25 interest and to principal and the amount and due date of any balloon payments.

47.26 Subd. 7. **Disclosures in other languages.** If the contract was advertised or primarily  
47.27 negotiated with the purchaser in a language other than English, the investor seller must  
47.28 provide the disclosures required in this section in the language in which the contract was  
47.29 advertised or primarily negotiated.

47.30 Subd. 8. **No waiver.** The provisions of this section may not be waived.

47.31 Subd. 9. **Effects of violation.** Except as provided in section 559A.05, subdivision 2, a  
47.32 violation of this section has no effect on the validity of the contract for deed.

48.1 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to contracts  
48.2 for deed executed by all parties on or after that date.

48.3 Sec. 41. **[559A.04] CONTRACTS FOR DEED INVOLVING INVESTOR SELLERS**  
48.4 **AND RESIDENTIAL REAL PROPERTY; RIGHTS AND REQUIREMENTS.**

48.5 Subdivision 1. **Requirement of investor seller if property subject to mortgage.** An  
48.6 investor may not execute a contract for deed that is subject to a mortgage with a due-on-sale  
48.7 clause and not expressly assumed by the contract for deed purchaser unless the investor  
48.8 seller has:

48.9 (1) procured a binding agreement with the mortgage holder whereby the holder either  
48.10 consents to the sale of the property to the purchaser by contract for deed or agrees to not  
48.11 exercise the holder's rights under a due-on-sale clause in the mortgage based on the contract  
48.12 for deed; and

48.13 (2) in the contract:

48.14 (i) disclosed the existence of the investor seller's mortgage;

48.15 (ii) covenants that the investor seller will perform all obligations under the mortgage;

48.16 and

48.17 (iii) expressly represents to the purchaser that the seller has procured the binding  
48.18 agreement required under clause (1).

48.19 Subd. 2. **Right to cancel purchase agreement.** (a) A prospective purchaser may cancel  
48.20 a purchase agreement prior to the execution by all parties of the contract for deed or within  
48.21 ten calendar days of receiving the disclosures required under section 559A.03, whichever  
48.22 is earlier. A purchaser's execution of the contract for deed earlier than ten calendar days of  
48.23 receiving the disclosures does not excuse, constitute a waiver of, or constitute a defense by  
48.24 an investor seller regarding the seller's violation of section 559A.03, subdivision 1, paragraph  
48.25 (b) or (c).

48.26 (b) In addition to the disclosures required under section 559A.03, an investor seller must  
48.27 provide the prospective purchaser with notice of the person to whom, and the mailing address  
48.28 to where, cancellation of the purchase agreement must be delivered or sent. Cancellation  
48.29 of the purchase agreement is effective upon personal delivery or upon mailing.

48.30 (c) In the event of cancellation or if no purchase agreement has been signed and the  
48.31 prospective purchaser elects not to execute the contract for deed, the investor seller may  
49.1 not impose a penalty or fee and must promptly refund all payments made by the prospective  
49.2 purchaser.

49.3 Subd. 3. **Duty of investor seller to account.** The investor seller must inform the purchaser  
49.4 in a separate writing of the right to request an annual accounting. Upon reasonable written

49.5 request by the purchaser and no more than once every calendar year, an investor seller must  
49.6 provide an accounting of:

49.7 (1) all payments made pursuant to the contract for deed during the prior calendar year  
49.8 with payments allocated between interest and principal;

49.9 (2) any delinquent payments;

49.10 (3) the total principal amount remaining to satisfy the contract for deed; and

49.11 (4) the anticipated amounts and due dates of all balloon payments.

49.12 Subd. 4. **Churning prohibited.** (a) An investor seller is prohibited from churning. There  
49.13 is a rebuttable presumption that the investor seller has violated this subdivision if, on or  
49.14 after August 1, 2024, the investor seller executes a contract for deed and, within the previous  
49.15 48 months, the investor seller either:

49.16 (1) had completed two or more termination proceedings under section 559.21 on the  
49.17 same residential real property being sold by the contract for deed; or

49.18 (2) had completed four or more termination proceedings under section 559.21 on contracts  
49.19 for deed for any residential real property, where terminated contracts comprise 20 percent  
49.20 or more of all contracts executed by the investor seller during that period.

49.21 (b) Nothing contained in this subdivision or in section 559A.01, subdivision 3, shall  
49.22 invalidate, impair, affect, or give rise to any cause of action with respect to any contract for  
49.23 deed or termination proceeding under section 559.21 used as a predicate to establish the  
49.24 presumption under paragraph (a).

49.25 (c) For the purposes of this subdivision, a person who sold residential real property on  
49.26 a contract for deed is deemed to be the same person as the investor seller where the person  
49.27 who sold on a contract for deed:

49.28 (1) is owned or controlled, in whole or in part, by the investor seller;

49.29 (2) owns or controls, in whole or in part, the investor seller;

49.30 (3) is under common ownership or control, in whole or in part, with the investor seller;

50.1 (4) is a spouse, parent, child, sibling, grandparent, grandchild, uncle, aunt, niece, nephew,  
50.2 or cousin of the investor seller, or of the natural person who owns or controls, in whole or  
50.3 in part, the investor seller; or

50.4 (5) is an entity owned or controlled, in whole or in part, by a person who is a spouse,  
50.5 parent, child, sibling, grandparent, grandchild, uncle, aunt, niece, nephew, or cousin of the  
50.6 investor seller, or of the natural person who owns or controls, in whole or in part, the investor  
50.7 seller.

50.8 Subd. 5. **Duty of investor seller to refund down payments.** (a) If an investor seller  
50.9 terminates under section 559.21 a contract for deed within 48 months of executing the

50.10 contract, any portion of the down payment that exceeded ten percent of the purchase price  
50.11 shall be refunded to the purchaser within 180 days of the termination of the contract.

50.12 (b) Upon delivery to the purchaser by the investor seller of reasonable documentation  
50.13 that the following expenses were incurred or taxes and contract payments were unpaid, an  
50.14 investor seller may offset against the refund, if applicable, for:

50.15 (1) unpaid property taxes for the period prior to termination of the contract;  
50.16 (2) unpaid insurance premiums for the period prior to termination of the contract incurred  
50.17 by the investor seller;

50.18 (3) the reasonable cost of necessary repairs for damage to the residential real property  
50.19 caused by the purchaser, beyond ordinary wear and tear, incurred by the investor seller;

50.20 (4) attorney fees, not to exceed \$1,000, and costs of service incurred in connection with  
50.21 the termination of the contract;

50.22 (5) unpaid utility arrears for the period prior to termination of the contract incurred by  
50.23 the investor seller; and

50.24 (6) one-half of the unpaid monthly contract installment payments, excluding balloon  
50.25 payments, that accrued prior to termination of the contract.

50.26 (c) If the purchaser disputes the amount that an investor seller claims as the refund or  
50.27 an offset, the purchaser may commence an action in district court or conciliation court to  
50.28 determine the amount of the refund or the offsets and recover any money owed by the  
50.29 investor seller to the purchaser. The purchaser is entitled to recover from the investor seller  
50.30 any portion of the down payment that the court finds is owed by the investor seller to the  
50.31 purchaser and not previously paid to the purchaser. An attorney expressly authorized by  
50.32 the investor seller to receive payments in the notice of termination is designated as the  
51.1 attorney who may receive service as agent for the investor seller in an action under this  
51.2 paragraph in the same manner as provided in section 559.21, subdivision 8.

51.3 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to contracts  
51.4 for deed executed by all parties on or after that date.

51.5 Sec. 42. **[559A.05] CONTRACTS FOR DEED INVOLVING INVESTOR SELLERS**  
51.6 **AND RESIDENTIAL REAL PROPERTY; REMEDIES FOR VIOLATION.**

51.7 Subdivision 1. **Definition.** For the purposes of this section, "material violation of section  
51.8 559A.03" means:

51.9 (1) if applicable, failure to disclose any balloon payment as required under section  
51.10 559A.03, subdivision 2;

51.11 (2) failure to disclose the price paid by the investor seller under the contract for deed to  
51.12 acquire property as required under section 559A.03, subdivision 3;

- 51.13 (3) failure to disclose the other essential terms of the contract as required under section  
51.14 559A.03, subdivision 4;
- 51.15 (4) failure to provide the general disclosure in substantially the form required under  
51.16 section 559A.03, subdivision 5;
- 51.17 (5) failure to disclose the amortization schedule as required under section 559A.03,  
51.18 subdivision 6;
- 51.19 (6) a violation of section 559A.03, subdivision 1, paragraph (b) or (c);
- 51.20 (7) a violation of section 559A.03, subdivision 7; or
- 51.21 (8) a material omission or misstatement of any of the information required to be disclosed  
51.22 under section 559A.03.
- 51.23 Subd. 2. **Remedy for violation of disclosure requirements or churning.** (a)  
51.24 Notwithstanding any provision in the purchase agreement or contract for deed to the contrary,  
51.25 a purchaser may, within two years of the execution of the contract for deed, bring an action  
51.26 for relief for a material violation of section 559A.03 or a violation of section 559A.04,  
51.27 subdivision 4. A prevailing purchaser may rescind a contract and, in conjunction with the  
51.28 rescission, may recover against the investor seller a sum equal to:
- 51.29 (1) all amounts paid by the purchaser under the contract for deed, including payments  
51.30 to third parties, less the fair rental value of the residential real property for the period of  
51.31 time the purchaser was in possession of the property;
- 52.1 (2) the reasonable value of any improvements to the residential real property made by  
52.2 the purchaser;
- 52.3 (3) actual, consequential, and incidental damages; and
- 52.4 (4) reasonable attorney fees and costs.
- 52.5 (b) A claim for rescission and a money judgment awarded under this subdivision does  
52.6 not affect any rights or responsibilities of a successor in interest to the investor seller prior  
52.7 to the filing of a lis pendens in the action in which relief is sought, unless it is established  
52.8 by clear and convincing evidence that the successor in interest had prior knowledge that  
52.9 the contract for deed was executed in violation of the requirements of section 559A.03 or  
52.10 559A.04, subdivision 4.
- 52.11 (c) A purchaser barred under paragraph (b) from making a claim against a successor in  
52.12 interest to the investor seller may, within two years of the execution of the contract for deed,  
52.13 bring a claim for violation of the requirements of section 559A.03 or 559A.04, subdivision  
52.14 4, against the original investor seller who entered into the contract for deed and may recover  
52.15 the greater of actual damages or statutory damages of \$5,000, plus reasonable attorney fees

52.16 and costs. The original investor seller has no claim for indemnification or contribution  
52.17 against the successor in interest.

52.18 **Subd. 3. Remedy for failure of investor seller to procure agreement with mortgage**  
52.19 **holder.** (a) If a mortgage holder commences foreclosure of the mortgage holder's mortgage  
52.20 based on the sale to a purchaser under the contract for deed and notwithstanding any provision  
52.21 in the purchase agreement or contract for deed to the contrary, a purchaser may bring an  
52.22 action for the failure of the investor seller to procure the agreement with the mortgage holder  
52.23 as required under section 559A.04, subdivision 2. A prevailing purchaser may rescind a  
52.24 contract and may recover against the investor seller a sum equal to:

52.25 (1) all amounts paid by the purchaser under the contract for deed, including payments  
52.26 to third parties, less the fair rental value of the residential real property for the period of  
52.27 time the purchaser was in possession of the property;

52.28 (2) the reasonable value of any improvements to the residential real property made by  
52.29 the purchaser;

52.30 (3) actual, consequential, and incidental damages; and

52.31 (4) reasonable attorney fees and costs.

52.32 (b) An action under this subdivision may be brought at any time and is not subject to  
52.33 the statute of limitations in subdivision 2, provided that at least 30 days prior to bringing  
53.1 the action, a purchaser must deliver a notice of violation to the investor seller under the  
53.2 contract for deed personally or by United States mail.

53.3 (c) An investor seller may cure the violation at any time prior to entry of a final judgment  
53.4 by delivering to the purchaser either evidence of the agreement with the mortgage holder  
53.5 as required under section 559A.04, subdivision 2, or evidence that the mortgage holder has  
53.6 abandoned foreclosure of the mortgage. If the violation is cured, the purchaser's action must  
53.7 be dismissed. An investor seller is liable to the purchaser for reasonable attorney fees and  
53.8 court costs if the seller delivers evidence of the mortgage holder's agreement or abandonment  
53.9 of the foreclosure after the purchaser has commenced the action.

53.10 (d) Nothing in this subdivision bars or limits any other claim by a purchaser arising from  
53.11 the investor seller's breach of a senior mortgage.

53.12 **Subd. 4. Defense to termination.** A purchaser's right to the remedy under subdivision  
53.13 2 or 3 constitutes grounds for injunctive relief under section 559.211.

53.14 **Subd. 5. Effect of action on title.** An action under subdivision 2 or 3 is personal to the  
53.15 purchaser only, does not constitute an interest separate from the purchaser's interest in the  
53.16 contract for deed, and may not be assigned except to a successor in interest.

53.17 **Subd. 6. Rights cumulative.** The rights and remedies provided in this section are  
53.18 cumulative to, and not a limitation of, any other rights and remedies provided under law

53.19 and at equity. Nothing in this chapter precludes a court from construing a contract for deed  
53.20 as an equitable mortgage.

53.21 Subd. 7. **Public enforcement.** The attorney general has authority under section 8.31 to  
53.22 investigate and prosecute violations of sections 559A.03 and 559A.04, subdivision 4.

53.23 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to all contracts  
53.24 for deed executed by all parties on or after that date.

108.11 Sec. 69. Minnesota Statutes 2022, section 563.01, subdivision 3, is amended to read:

108.12 Subd. 3. **Court fee waiver; authorization of in forma pauperis.** (a) Any court of the  
108.13 state of Minnesota or any political subdivision thereof may authorize the commencement  
108.14 or defense of any civil action, or appeal therein, without prepayment of fees, costs and  
108.15 security for costs by a natural person who makes affidavit stating (a) the nature of the action,  
108.16 defense or appeal, (b) a belief that affiant is entitled to redress, and (c) that affiant is  
108.17 financially unable to pay the fees, costs and security for costs.

108.18 (b) Upon a finding by the court that the action is not of a frivolous nature, the court shall  
108.19 allow the person to proceed ~~in forma pauperis~~ with a court fee waiver if the affidavit is  
108.20 substantially in the language required by this subdivision and is not found by the court to  
108.21 be untrue. Persons meeting the requirements of this subdivision include, but are not limited  
108.22 to, a person who is receiving public assistance described in section 550.37, subdivision 14,  
108.23 who is represented by an attorney on behalf of a civil legal services program or a volunteer  
108.24 attorney program based on indigency, or who has an annual income not greater than 125  
108.25 percent of the poverty line established under United States Code, title 42, section 9902(2),  
108.26 except as otherwise provided by section 563.02.

108.27 (c) If, at commencement of the action, the court finds that a party does not meet the  
108.28 eligibility criteria under paragraph (b), but the court also finds that the party is not able to  
108.29 pay all of the fees, costs, and security for costs, the court may order payment of a fee of \$75  
108.30 or partial payment of the fees, costs, and security for costs, to be paid as directed by the  
108.31 court.

109.1 The court administrator shall transmit any fees or payments to the commissioner of  
109.2 management and budget for deposit in the state treasury and credit to the general fund.

109.3 Sec. 70. Minnesota Statutes 2022, section 563.01, subdivision 4, is amended to read:

109.4 Subd. 4. **Payment of expenses.** Upon order of the court, the court administrator and the  
109.5 sheriff of any Minnesota county shall perform their duties without charge to the person  
109.6 proceeding ~~in forma pauperis~~ with a court fee waiver. The court shall direct payment of the  
109.7 reasonable expense of service of process pursuant to subdivision 2 if served by a private  
109.8 process server, if the sheriff is unavailable, or by publication.

109.9 Sec. 71. Minnesota Statutes 2022, section 563.01, subdivision 8, is amended to read:

109.10 Subd. 8. **Appellate briefs.** In any case on appeal the appellate court shall, upon granting  
109.11 permission to proceed ~~in forma pauperis~~ with a court fee waiver following application in  
109.12 the manner provided in subdivision 3, direct payment of the reasonable expenses incurred  
109.13 in obtaining the record and reproducing the appellate briefs.

109.14 Sec. 72. Minnesota Statutes 2022, section 563.01, subdivision 9, is amended to read:

109.15 Subd. 9. **Rescinding in forma pauperis status court fee waiver.** Upon motion, the  
109.16 court may rescind its permission to proceed ~~in forma pauperis~~ with a court fee waiver if it  
109.17 the court finds the allegations of poverty contained in the affidavit are untrue, or if, following  
109.18 commencement of the action, the party becomes able to pay the fees, costs and security for  
109.19 the costs. In such cases, the court may direct the party to pay to the court administrator any  
109.20 costs allowing the action to proceed. The court administrator shall transmit the costs to the  
109.21 commissioner of management and budget for deposit in the state treasury and credit them  
109.22 to the general fund.

109.23 Sec. 73. Minnesota Statutes 2022, section 563.01, subdivision 10, is amended to read:

109.24 Subd. 10. **Judgment.** Judgment may be rendered for costs at the conclusion of the action  
109.25 as in other cases. In the event any person recovers moneys by either settlement or judgment  
109.26 as a result of commencing or defending an action ~~in forma pauperis~~ with a court fee waiver,  
109.27 the costs deferred and the expenses directed by the court to be paid under this section shall  
109.28 be included in such moneys and shall be paid directly to the court administrator by the  
109.29 opposing party. The court administrator shall transmit the costs to the commissioner of  
109.30 management and budget for deposit in the state treasury and credit them to the general fund.

110.1 Sec. 74. Minnesota Statutes 2022, section 563.02, subdivision 2, is amended to read:

110.2 Subd. 2. **Inmate request to proceed in forma pauperis waive court fees.** (a) An inmate  
110.3 who wishes to commence a civil action by ~~proceeding in forma pauperis~~ with court fee  
110.4 waived must meet the following requirements, in addition to the requirements of section  
110.5 563.01, subdivision 3:

110.6 (1) exhaust the inmate complaint procedure developed under the commissioner of  
110.7 corrections policy and procedure before commencing a civil action against the department,  
110.8 and state in the application to ~~proceed in forma pauperis~~ waive court fees that the inmate  
110.9 has done so; and

110.10 (2) include the following information in an affidavit submitted under section 563.01:

110.11 (i) a statement that the inmate's claim is not substantially similar to a previous claim  
110.12 brought by the inmate against the same party, arising from the same operative facts, and in  
110.13 which there was an action that operated as an adjudication on the merits;

110.14 (ii) complete information on the inmate's identity, the nature and amount of the inmate's  
110.15 income, spouse's income, if available to the inmate, real property owned by the inmate, and  
110.16 the inmate's bank accounts, debts, monthly expenses, and number of dependents; and

110.17 (iii) the most recent monthly statement provided by the commissioner of corrections  
110.18 showing the balance in the inmate's inmate account.

110.19 (b) The inmate shall also attach a written authorization for the court to obtain at any  
110.20 time during pendency of the present action, without further authorization from the inmate,  
110.21 a current statement of the inmate's inmate account balance, if needed to determine eligibility  
110.22 to proceed with bringing a civil action ~~in forma pauperis~~ with court fees waived. An inmate  
110.23 who has no funds in an inmate account satisfies the requirement of section 563.01,  
110.24 subdivision 3, clause (c).

110.25 (c) An inmate who seeks to proceed as a plaintiff ~~in forma pauperis~~ with court fees  
110.26 waived must file with the court the complaint in the action and the affidavit under this  
110.27 section before serving the complaint on an opposing party.

110.28 (d) An inmate who has funds in an inmate account may only proceed as a plaintiff in a  
110.29 civil action by paying the lesser of:

110.30 (1) the applicable court filing fee; or

111.1 (2) 50 percent of the balance shown in the inmate's account according to the statement  
111.2 filed with the court under this subdivision, consistent with the requirements of section  
111.3 243.23, subdivision 3.

111.4 (e) If an inmate elects to proceed under paragraph (d), the court shall notify the  
111.5 commissioner of corrections to withdraw from the inmate's account the amount required  
111.6 under this section and forward the amount to the court administrator in the county where  
111.7 the action was commenced. The court shall also notify the commissioner of corrections of  
111.8 the amount of the filing fee remaining unpaid. The commissioner shall continue making  
111.9 withdrawals from the inmate's account and forwarding the amounts withdrawn to the court  
111.10 administrator, at intervals as the applicable funds in the inmate's account equal at least \$10,  
111.11 until the entire filing fee and any costs have been paid in full.

111.12 Sec. 75. Minnesota Statutes 2022, section 571.72, subdivision 6, is amended to read:

111.13 Subd. 6. **Bad faith claim.** If, in a proceeding brought under subdivision 9, section 571.91,  
111.14 or a similar proceeding under this chapter to determine a claim of exemption, the claim of  
111.15 exemption is not upheld, and the court finds that it was asserted in bad faith, the creditor  
111.16 shall be awarded actual damages, costs, reasonable attorney fees resulting from the additional  
111.17 proceedings, and an amount not to exceed \$100. If the claim of exemption is upheld, and  
111.18 the court finds that the creditor disregarded the claim of exemption in bad faith, the debtor  
111.19 shall be awarded actual damages, costs, reasonable attorney fees resulting from the additional  
111.20 proceedings, and an amount not to exceed \$100. The underlying judgment shall be modified  
111.21 to reflect assessment of damages, costs, and attorney fees. However, if the party in whose

111.22 favor a penalty assessment is made is not actually indebted to that party's attorney for fees,  
111.23 the attorney's fee award shall be made directly to the attorney and if not paid an appropriate  
111.24 judgment in favor of the attorney shall be entered.

111.25 Sec. 76. Minnesota Statutes 2022, section 571.72, subdivision 8, is amended to read:

111.26 Subd. 8. **Exemption notice.** In every garnishment where the debtor is a natural person,  
111.27 the debtor shall be provided with a garnishment exemption notice. If the creditor is garnishing  
111.28 earnings, the earnings exemption notice provided in section 571.924 must be served ten or  
111.29 more days before the service of the first garnishment summons. If the creditor is garnishing  
111.30 funds in a financial institution, the exemption notice provided in section 571.912 must be  
111.31 served with the garnishment summons. In all other cases, the exemption notice must be in  
111.32 the following form and served on the debtor with a copy of the garnishment summons.

112.1 STATE OF MINNESOTA DISTRICT COURT

112.2 COUNTY OF ..... JUDICIAL DISTRICT

112.3 .....(Creditor)

112.4 against

112.5 .....(Debtor) EXEMPTION NOTICE

112.6 and

112.7 .....(Garnishee)

112.8 A Garnishment Summons is being served upon you. Some of your property may be  
112.9 exempt and cannot be garnished. The following is a list of some of the more common  
112.10 exemptions. It is not complete and is subject to section 550.37 of the Minnesota Statutes  
112.11 and other state and federal laws. The dollar amounts contained in this list are subject to the  
112.12 provisions of section 550.37, subdivision 4a, at the time of garnishment. If you have questions  
112.13 about an exemption, you should obtain legal advice.

112.14 (1) a homestead or the proceeds from the sale of a homestead;

112.15 (2) household furniture, appliances, phonographs, radios, and televisions up to a total  
112.16 current value of \$5,850;

112.17 (3) a manufactured (mobile) home used as your home;

112.18 (4) one motor vehicle currently worth less than \$2,600 after deducting any security  
112.19 interest;

112.20 (5) farm machinery used by an individual principally engaged in farming, or tools,  
112.21 machines, or office furniture used in your business or trade. This exemption is limited to  
112.22 \$13,000;

- 112.23 (6) relief based on need. This includes:
- 112.24 (i) Minnesota Family Investment Program (MFIP) and Work First Program;
- 112.25 (ii) Medical Assistance (MA), whether received by you or by your dependent child;
- 112.26 (iii) General Assistance (GA);
- 112.27 (iv) Emergency General Assistance (EGA);
- 112.28 (v) Minnesota Supplemental AID (MSA);
- 112.29 (vi) MSA-Emergency Assistance (MSA-EA);
- 112.30 (vii) Supplemental Security Income (SSI);
- 112.31 (viii) Energy Assistance; and
- 113.1 (ix) Emergency Assistance (EA);
- 113.2 (7) Social Security benefits;
- 113.3 (8) unemployment benefits, workers' compensation, or veteran's benefits;
- 113.4 (9) an accident, disability, or retirement pension or annuity;
- 113.5 (10) life insurance proceeds;
- 113.6 (11) earnings of your minor child; and
- 113.7 (12) money from a claim for damage or destruction of exempt property (such as household
- 113.8 goods, farm tools, business equipment, a manufactured (mobile) home, or a car).
- 113.9 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to exemption
- 113.10 notices provided on or after that date.
- 113.11 Sec. 77. Minnesota Statutes 2022, section 571.72, subdivision 9, is amended to read:
- 113.12 Subd. 9. **Motion to determine objections.** (a) This subdivision applies to all garnishment
- 113.13 proceedings governed by this chapter. An objection regarding a garnishment must be
- 113.14 interposed as provided in section 571.914, subdivision 1, in the form provided under section
- 113.15 571.914, subdivision 2.
- 113.16 (b) Upon motion of any party in interest, on notice, the court shall determine the validity
- 113.17 of any claim of exemption and may make any order necessary to protect the rights of those
- 113.18 interested.
- 113.19 (c) Upon receipt of a claim of exemption by the debtor, the creditor must comply with
- 113.20 the claim or interpose an objection within ten business days of the date the exemption claim
- 113.21 was received. An objection must be interposed by:

- 113.22 (1) in the district court that issued the judgment, filing the Notice of Objection and  
113.23 requesting a hearing; and
- 113.24 (2) mailing or delivering one copy of the Notice of Objection and Notice of Hearing to  
113.25 the garnishee and one copy of the Notice of Objection and Notice of Hearing to the debtor.
- 113.26 (d) For the purposes of subdivision 6, there is a rebuttable presumption of bad faith if  
113.27 the court finds that the creditor failed to comply with the requirements of this subdivision.
- 113.28 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to causes  
113.29 of action commenced on or after that date.
- 114.1 Sec. 78. Minnesota Statutes 2022, section 571.72, subdivision 10, is amended to read:
- 114.2 Subd. 10. **Exemption notice for prejudgment garnishment.**
- 114.3 **EXEMPTION NOTICE**
- 114.4 **IMPORTANT NOTICE: A garnishment summons may be served on your employer,**  
114.5 **bank, or other third parties without any further court proceeding or notice to you.**  
114.6 **See the attached Notice of Intent to Garnish for more information.**
- 114.7 **The following money and wages may be protected (the legal word is exempt) from**  
114.8 **garnishment:**
- 114.9 **1. Financial institutions/bank**
- 114.10 Some of the money in your account may be protected because you receive government  
114.11 benefits from one or more of the following places:
- 114.12 **MFIP - Minnesota family investment program,**
- 114.13 **MFIP Diversionary Work Program,**
- 114.14 **Work participation cash benefit,**
- 114.15 **GA - general assistance,**
- 114.16 **EA - emergency assistance,**
- 114.17 **MA - medical assistance, whether received by you or by your dependent child,**
- 114.18 **EGA - emergency general assistance or county crisis funds,**
- 114.19 **MSA - Minnesota supplemental aid,**
- 114.20 **MSA-EA - MSA emergency assistance,**
- 114.21 **Supplemental Nutrition Assistance Program (SNAP),**
- 114.22 **SSI - Supplemental Security Income,**

- 114.23 **MinnesotaCare**, whether received by you or by your dependent child.
- 114.24 **Medicare Part B premium payments**,
- 114.25 **Medicare Part D extra help**,
- 114.26 **Energy or fuel assistance**,
- 114.27 **Social Security benefits**,
- 114.28 **Unemployment benefits**,
- 115.1 **Workers' compensation**,
- 115.2 **Veterans benefits**.
- 115.3 **Sending the creditor's attorney (or creditor, if no attorney) a copy of BANK**
- 115.4 **STATEMENTS that show what was in your account for the past 60 days may give the**
- 115.5 **creditor enough information about your exemption claim to avoid a garnishment.**
- 115.6 **2. Earnings**
- 115.7 All or some of your earnings may be completely protected from garnishment if:
- 115.8 **All of your earnings (wages) may be protected if:**
- 115.9 You get government benefits (see list of government benefits)
- 115.10 You currently receive other assistance based on need
- 115.11 You have received government benefits in the last six months
- 115.12 You were in jail or prison in the last six months
- 115.13 Your wages are only protected for 60 days after they are deposited in your account so
- 115.14 **it would be helpful if you immediately send the undersigned creditor a copy of BANK**
- 115.15 **STATEMENTS that show what was in your account for the past 60 days.**
- 115.16 **Some of your earnings (wages) may be protected if:**
- 115.17 If all of your earnings are not exempt, some of your earnings may still be protected for
- 115.18 20 days after they were deposited in your account. The amount protected is the larger amount
- 115.19 of:
- 115.20 75 percent of your wages (after taxes are taken out); or
- 115.21 (insert the sum of the current federal minimum wage) multiplied by 40.
- 115.22 **The money from the following are also exempt for 20 days after they are deposited**
- 115.23 **in your account.**
- 115.24 **An accident, disability, or retirement pension or annuity**

115.25 **Payments to you from a life insurance policy**

115.26 **Earnings of your child who is under 18 years of age**

115.27 **Child support**

115.28 **Money paid to you from a claim for damage or destruction of property.** Property  
115.29 includes household goods, farm tools or machinery, tools for your job, business equipment,  
116.1 a mobile home, a car, a musical instrument, a pew or burial lot, clothes, furniture, or  
116.2 appliances.

116.3 **Death benefits paid to you.**

116.4 **YOU WILL BE ABLE TO CLAIM THESE EXEMPTIONS WHEN YOU**  
116.5 **RECEIVE A NOTICE. You will get the notice at least ten days BEFORE a wage**  
116.6 **garnishment. BUT if the creditor garnishes your bank account, you will not get the**  
116.7 **notice until AFTER the account has been frozen. IF YOU BELIEVE THE MONEY**  
116.8 **IN YOUR BANK ACCOUNT OR YOUR WAGES ARE EXEMPT, YOU SHOULD**  
116.9 **IMMEDIATELY CONTACT THE PERSON BELOW. YOU SHOULD TELL THEM**  
116.10 **WHY YOU THINK YOUR ACCOUNT OR WAGES ARE EXEMPT TO SEE IF**  
116.11 **YOU CAN AVOID GARNISHMENT.**

116.12 Creditor .....

116.13 Creditor address .....

116.14 Creditor telephone number .....

116.15 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to exemption  
116.16 notices provided on or after that date.

116.17 Sec. 79. Minnesota Statutes 2022, section 571.911, is amended to read:

116.18 **571.911 EXEMPTION NOTICE; DUTY OF FINANCIAL INSTITUTION.**

116.19 (a) If the garnishment summons is used to garnish funds of a debtor who is a natural  
116.20 person and if the funds to be garnished are held on deposit at a financial institution, the  
116.21 creditor shall serve with the garnishee summons a notice, instructions, and two copies of  
116.22 an exemption notice. The notice, instructions, and exemption notices must be substantially  
116.23 in the forms set forth in section 571.912. Failure of the creditor to send the exemption notice  
116.24 renders the garnishment void, and the financial institution shall take no action.

116.25 (b) Unless the total amount in the depository accounts under the debtor's name is less  
116.26 than the amount specified under section 550.37, subdivision 29, upon receipt of the  
116.27 garnishment summons and exemption notices, the financial institution shall retain as much  
116.28 of the amount under section 571.73 as the financial institution has on deposit owing to the  
116.29 debtor, but not more than 110 percent of the creditor's claim. If the amount in the account

116.30 does not exceed the amount specified under section 550.37, subdivision 29, the bank must  
116.31 notify the creditor that no money is retained.

116.32 (c) If the creditor receives notice from the financial institution that no money is retained,  
116.33 the creditor is prohibited from sending the notice under section 571.912.

117.1 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to causes  
117.2 of action commenced on or after that date.

117.3 Sec. 80. Minnesota Statutes 2022, section 571.914, subdivision 1, is amended to read:

117.4 Subdivision 1. **Objections and request for hearing.** ~~An objection shall be interposed,~~  
117.5 ~~within six business days of receipt by the creditor of an exemption claim from the debtor,~~  
117.6 ~~by mailing or delivering one copy of the Notice of Objection and Notice of Hearing to the~~  
117.7 ~~financial institution and one copy of the Notice of Objection and Notice of Hearing to the~~  
117.8 ~~debtor.~~

117.9 (a) The Notice of Objection and Notice of Hearing form must be substantially in the  
117.10 form set out in subdivision 2.

117.11 (b) The court administrator may charge a fee of \$1 for the filing of a Notice of Objection  
117.12 and Notice of Hearing. Upon the filing of a Notice of Objection and Notice of Hearing, the  
117.13 court administrator shall schedule the matter for hearing no sooner than five business days  
117.14 but no later than seven business days from the date of filing. A debtor may request  
117.15 continuance of the hearing by notifying the creditor and the court. The court shall schedule  
117.16 the continued hearing within seven days of the original hearing date.

117.17 (c) An order stating whether the debtor's funds are exempt shall be issued by the court  
117.18 within three days of the date of the hearing.

117.19 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to causes  
117.20 of action commenced on or after that date.

117.21 Sec. 81. Minnesota Statutes 2022, section 571.92, is amended to read:

117.22 **571.92 GARNISHMENT OF EARNINGS.**

117.23 Sections 571.921 to 571.926 relate to the garnishment of earnings. The exemptions  
117.24 available under section 550.37 apply to the garnishment of earnings if the debtor is a resident  
117.25 of Minnesota and the debtor's place of employment is in Minnesota, regardless of where  
117.26 the employer is domiciled.

117.27 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to causes  
117.28 of action commenced on or after that date.

118.1 Sec. 82. Minnesota Statutes 2022, section 571.921, is amended to read:

118.2 **571.921 DEFINITIONS.**

118.3 For purposes of sections 571.921 to ~~571.926~~ 571.927, the following terms have the  
118.4 meanings given them:

118.5 (a) "Earnings" means:

118.6 (1) compensation paid or payable to an employee, independent contractor, or  
118.7 self-employed person for personal service whether denominated as wages, salary,  
118.8 commissions, bonus, payments, profit-sharing distribution, severance payment, fees, or  
118.9 otherwise, and includes periodic payments pursuant to a pension or retirement program;

118.10 (2) compensation paid or payable to the producer for the sale of agricultural products;  
118.11 livestock or livestock products; milk or milk products; or fruit or other horticultural products  
118.12 produced when the producer is operating a family farm, a family farm corporation, or an  
118.13 authorized farm corporation, as defined in section 500.24, subdivision 2; or

118.14 (3) maintenance as defined in section 518.003, subdivision 3a.

118.15 (b) "Disposable earnings" means that part of the earnings of an individual remaining  
118.16 after the deduction from those earnings of amounts required by law to be withheld.

118.17 (c) "Employee" means an individual who performs services subject to the right of the  
118.18 employer to control both what is done and how it is done, whether currently or formerly  
118.19 employed, who is owed earnings and who is treated by an employer as an employee for  
118.20 federal employment tax purposes.

118.21 (d) "Employer" means a person for whom an individual performs services as an employee  
118.22 who owes or will owe earnings to an employee or independent contractor.

118.23 (e) "Independent contractor" means an individual who (1) receives or is owed earnings  
118.24 from an employer through periodic payments, and (2) is not treated by the employer as an  
118.25 employee for federal employment tax purposes.

118.26 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to causes  
118.27 of action commenced on or after that date.

119.1 Sec. 83. Minnesota Statutes 2022, section 571.922, is amended to read:

119.2 **571.922 LIMITATION ON WAGE GARNISHMENT.**

119.3 (a) Unless the judgment is for child support, the maximum part of the aggregate  
119.4 disposable earnings of an individual for any pay period subjected to garnishment may not  
119.5 exceed the lesser of:

- 119.6 (1) 25 percent of the debtor's disposable earnings, if the debtor's weekly income exceeds  
119.7 120 times the greater of the hourly wage described in section 571.922, paragraph (a), clause  
119.8 (4); ~~or~~
- 119.9 (2) 15 percent of the debtor's disposable earnings, if the debtor's weekly income exceeds  
119.10 80 times, but is less than or equal to 120 times, the greater of the hourly wages described  
119.11 in section 571.922, paragraph (a), clause (4); or
- 119.12 (3) five percent of the debtor's disposable earnings, if the debtor's weekly income exceeds  
119.13 40 times, but is less than or equal to 80 times, the greater of the hourly wages described in  
119.14 section 571.922, paragraph (a), clause (4).
- 119.15 (b) The amount by which the debtor's disposable earnings exceed the greater of:
- 119.16 (i) (1) 40 times the hourly wage described in section 177.24, subdivision 1, paragraph  
119.17 (b), clause (1), item (iii); or
- 119.18 (ii) (2) 40 times the federal minimum hourly wages prescribed by section 6(a)(1) of the  
119.19 Fair Labor Standards Act of 1938, United States Code, title 29, section 206(a)(1). The  
119.20 calculation of the amount that is subject to garnishment must be based on the hourly wage  
119.21 in effect at the time the earnings are payable, times the number of work weeks in the pay  
119.22 period. When a pay period consists of other than a whole number of work weeks, each day  
119.23 of that pay period in excess of the number of completed work weeks shall be counted as a  
119.24 fraction of a work week equal to the number of excess workdays divided by the number of  
119.25 days in the normal work week.
- 119.26 (b) (c) If the judgment is for child support, the garnishment may not exceed:
- 119.27 (1) 50 percent of the judgment debtor's disposable income, if the judgment debtor is  
119.28 supporting a spouse or dependent child and the judgment is 12 weeks old or less (12 weeks  
119.29 to be calculated to the beginning of the work week in which the execution levy is received);
- 119.30 (2) 55 percent of the judgment debtor's disposable income, if the judgment debtor is  
119.31 supporting a spouse or dependent child, and the judgment is over 12 weeks old (12 weeks  
120.1 to be calculated to the beginning of the work week in which the garnishment summons is  
120.2 received);
- 120.3 (3) 60 percent of the judgment debtor's disposable income, if the judgment debtor is not  
120.4 supporting a spouse or dependent child and the judgment is 12 weeks old or less (12 weeks  
120.5 to be calculated to the beginning of the work week in which the execution levy is received);  
120.6 or
- 120.7 (4) 65 percent of the judgment debtor's disposable income, if the judgment debtor is not  
120.8 supporting a spouse or dependent child, and the judgment is over 12 weeks old (12 weeks  
120.9 to be calculated to the beginning of the work week in which the garnishment summons is  
120.10 received).

120.11 Wage garnishments on judgments for child support are effective until the judgments are  
120.12 satisfied if the judgment creditor is a county and the employer is notified by the county  
120.13 when the judgment is satisfied.

120.14 ~~(e)~~ (d) No court may make, execute, or enforce an order or any process in violation of  
120.15 this section.

120.16 Sec. 84. Minnesota Statutes 2022, section 571.924, subdivision 1, is amended to read:

120.17 Subdivision 1. **Requirement.** The creditor shall serve upon the debtor, no less than ten  
120.18 days before the service of the garnishment summons, a notice that a summons may be issued.  
120.19 The notice shall: (1) be substantially in the form set out in section 571.925; (2) be served  
120.20 personally, in the manner of a summons and complaint, or by first class mail to the last  
120.21 known address of the debtor; (3) inform the debtor that a garnishment summons may be  
120.22 served on the debtor's employer after ten days, and that the debtor may, within that time,  
120.23 cause to be served on the creditor a signed statement under penalties of perjury asserting  
120.24 an entitlement to an exemption from garnishment; (4) inform the debtor of the earnings  
120.25 garnishment exemptions contained in section 550.37, subdivision 14; ~~and~~ (5) advise the  
120.26 debtor of the relief set forth in this chapter to which the debtor may be entitled if a creditor  
120.27 in bad faith disregards a valid claim and the fee, costs, and penalty that may be assessed  
120.28 against a debtor who in bad faith falsely claims an exemption or in bad faith takes action  
120.29 to frustrate the garnishment process; and (6) provide in type that is at least two points larger  
120.30 than the body of the notice: (i) the date upon which the notice is mailed; (ii) a mailing  
120.31 address and an email address for delivery of an exemption claim; and (iii) a telephone  
120.32 number for the creditor's attorney or the creditor.

121.1 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to causes  
121.2 of action commenced on or after that date.

121.3 Sec. 85. Minnesota Statutes 2022, section 571.925, is amended to read:

121.4 **571.925 FORM OF NOTICE.**

121.5 The ten-day notice informing a debtor that a garnishment summons may be used to  
121.6 garnish the earnings of an individual must be substantially in the following form:

121.7 STATE OF MINNESOTA DISTRICT COURT  
121.8 COUNTY OF ..... JUDICIAL DISTRICT  
121.9 .....(Creditor)  
121.10 against  
121.11 GARNISHMENT EXEMPTION  
121.12 .....(Debtor) NOTICE AND NOTICE OF

121.13 **and** **INTENT TO GARNISH EARNINGS**

121.14 .....(Garnishee)

121.15 **PLEASE TAKE NOTICE** that a garnishment summons or levy may be served upon  
121.16 your employer or other third parties, without any further court proceedings or notice to you,  
121.17 ten days or more from the date hereof. Some or all of your earnings are exempt from  
121.18 garnishment. If your earnings are garnished, your employer must show you how the amount  
121.19 that is garnished from your earnings was calculated. You have the right to request a hearing  
121.20 if you claim the garnishment is incorrect.

121.21 Your earnings are completely exempt from garnishment if you are now a recipient of  
121.22 assistance based on need, if you have been a recipient of assistance based on need within  
121.23 the last six months, or if you have been an inmate of a correctional institution in the last six  
121.24 months.

121.25 Assistance based on need includes, but is not limited to:

121.26 **MFIP - Minnesota family investment program,**

121.27 **MFIP Diversionary Work Program,**

121.28 **Work participation cash benefit,**

121.29 **GA - general assistance,**

121.30 **EA - emergency assistance,**

121.31 **MA - medical assistance, whether received by you or by your dependent child,**

121.32 **EGA - emergency general assistance,**

121.33 **MSA - Minnesota supplemental aid,**

121.34 **MSA-EA - MSA emergency assistance,**

122.1 **Supplemental Nutrition Assistance Program (SNAP),**

122.2 **SSI - Supplemental Security Income,**

122.3 **MinnesotaCare, whether received by you or by your dependent child,**

122.4 **Medicare Part B premium payments,**

122.5 **Medicare Part D extra help,**

122.6 **Energy or fuel assistance.**

122.7 If you wish to claim an exemption, you should fill out the appropriate form below, sign  
122.8 it, and send it to the creditor's attorney and the garnishee.

122.9 You may wish to contact the attorney for the creditor in order to arrange for a settlement  
122.10 of the debt or contact an attorney to advise you about exemptions or other rights.

122.11 **PENALTIES**

122.12 (1) Be advised that even if you claim an exemption, a garnishment summons may still  
122.13 be served on your employer. If your earnings are garnished after you claim an exemption,  
122.14 you may petition the court for a determination of your exemption. If the court finds that  
122.15 the creditor disregarded your claim of exemption in bad faith, you will be entitled to  
122.16 costs, reasonable attorney fees, actual damages, and an amount not to exceed \$100.

122.17 (2) HOWEVER, BE WARNED if you claim an exemption, the creditor can also petition  
122.18 the court for a determination of your exemption, and if the court finds that you claimed  
122.19 an exemption in bad faith, you will be assessed costs and reasonable attorney's fees plus  
122.20 an amount not to exceed \$100.

122.21 (3) If after receipt of this notice, you in bad faith take action to frustrate the garnishment,  
122.22 thus requiring the creditor to petition the court to resolve the problem, you will be liable  
122.23 to the creditor for costs and reasonable attorney's fees plus an amount not to exceed  
122.24 \$100.

122.25 **Dated:** .....

122.26 (Attorney for) Creditor

122.27 .....

122.28 **Address**

122.29 .....

122.30 **Telephone**

122.31 **DEBTOR'S EXEMPTION CLAIM NOTICE**

122.32 I hereby claim that my earnings are exempt from garnishment because:

123.1 (1) I am presently a recipient of relief based on need. (Specify the program, case number,  
123.2 and the county from which relief is being received.)

123.3 .....

123.4 **Program** **Case Number (if known)** **County**

123.5 (2) I am not now receiving relief based on need, but I have received relief based on need  
123.6 within the last six months. (Specify the program, case number, and the county from  
123.7 which relief has been received.)

123.8 .....

123.9 **Program** **Case Number (if known)** **County**

123.10 (3) I have been an inmate of a correctional institution within the last six months. (Specify  
123.11 the correctional institution and location.)

123.12 .....

123.13 **Correctional Institution** **Location**

123.14 I hereby authorize any agency that has distributed relief to me or any correctional  
123.15 institution in which I was an inmate to disclose to the above-named creditor or the creditor's  
123.16 attorney only whether or not I am or have been a recipient of relief based on need or an  
123.17 inmate of a correctional institution within the last six months. I have mailed or delivered a  
123.18 copy of this form to the creditor or creditor's attorney.

123.19 .....

123.20 **Date** **Debtor**

123.21 .....

123.22 **Address**

123.23 .....

123.24 **Debtor Telephone Number**

123.25 **STATE OF MINNESOTA** **DISTRICT COURT**

123.26 **COUNTY OF** ..... **JUDICIAL DISTRICT**

123.27 ..... **(Creditor)**

- 123.28 .....(Debtor)
- 123.29 .....(Financial institution)
- 123.30 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to notices  
123.31 provided on or after that date.
- 124.1 Sec. 86. Minnesota Statutes 2022, section 571.927, is amended to read:
- 124.2 **571.927 PENALTY FOR RETALIATION FOR GARNISHMENT.**
- 124.3 Subdivision 1. **Prohibition.** An employer shall not discharge or otherwise discipline an  
124.4 employee or independent contractor as a result of an earnings garnishment authorized by  
124.5 this chapter.
- 124.6 Subd. 2. **Remedy.** If an employer violates this section, a court may order the reinstatement  
124.7 of an aggrieved party who demonstrates a violation of this section, and other relief the court  
124.8 considers appropriate. The aggrieved party may bring a civil action within 90 days of the  
124.9 date of the prohibited action. If an employer-employee or employer-independent contractor  
124.10 relationship existed before the violation of this section, the employee or independent  
124.11 contractor shall recover twice the wages earnings lost as a result of this violation.
- 124.12 Subd. 3. **Nonwaiver.** The rights guaranteed by this section may not be waived or altered  
124.13 by employment contract.
- 124.14 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to causes  
124.15 of action commenced on or after that date.
- 124.16 Sec. 87. **GARNISHMENT FORMS REVISION.**
- 124.17 (a) The attorney general must review and make recommendations to revise into plain  
124.18 language the notices and forms found in Minnesota Statutes, sections 571.72, subdivisions  
124.19 8 and 10; 571.74; 571.75, subdivision 2; 571.912; and 571.925.
- 124.20 (b) The attorney general must review and determine whether the forms contained in  
124.21 Minnesota Statutes, sections 571.711, subdivision 11; 571.914; 571.931, subdivision 6; and  
124.22 571.932, subdivision 2, should be revised into a more easily readable and understandable  
124.23 format. If the attorney general determines the forms should be revised, the attorney general  
124.24 must make recommendations for legislative revisions to the forms.
- 124.25 (c) The recommendations made under paragraphs (a) and (b) must include proposals to  
124.26 (1) explain in simple terms the meaning of garnishment in any form that uses the term  
124.27 garnishment, and (2) prominently place on forms the name, telephone, and email address  
124.28 of the creditor.
- 124.29 (d) When developing the recommendations, the attorney general must consult with the  
124.30 Center for Plain Language and other plain language experts the attorney general may identify.

118.19 Sec. 59. **REPEALER.**  
118.20 (a) Minnesota Statutes 2022, sections 325G.25, subdivision 1a; and 332.3351, are  
118.21 repealed.

118.22 (b) Minnesota Statutes 2023 Supplement, section 332.71, subdivision 8, is repealed.  
118.23 EFFECTIVE DATE. Paragraph (b) is effective January 1, 2025.

124.31 and must collaborate with the commissioner of commerce and affected business and consumer  
124.32 groups, including but not limited to:

125.1 (1) the Minnesota Creditors' Rights Association;  
125.2 (2) the Great Lakes Credit and Collections Association;  
125.3 (3) the Minnesota Bankers' Association;  
125.4 (4) the Minnesota Credit Union Network;  
125.5 (5) BankIn Minnesota;  
125.6 (6) Mid-Minnesota Legal Aid;  
125.7 (7) the Minnesota chapter of the National Association of Consumer Advocates;  
125.8 (8) the Minnesota chapter of the National Association of Consumer Bankruptcy Attorneys;  
125.9 (9) Lutheran Social Service; and  
125.10 (10) Family Means.

125.11 (e) For the purposes of this section, "plain language" means communication in which  
125.12 the wording, structure, and design are so clear that the intended reader can easily: (1) find  
125.13 what the reader needs; (2) understand what the reader needs; and (3) use what the reader  
125.14 finds to meet the reader's needs.

54.1 Sec. 44. **REPEALER.**  
54.2 (a) Minnesota Statutes 2022, sections 45.014; 239.791, subdivision 3; 559.201; and  
54.3 559.202, are repealed.  
54.4 (b) Minnesota Statutes 2022, section 82B.25, is repealed.  
54.5 (c) Minnesota Statutes 2023 Supplement, section 53B.58, is repealed.  
54.6 **EFFECTIVE DATE.** Paragraph (b) is effective January 1, 2026.

125.25 Sec. 89. **REPEALER.**

125.26 (a) Minnesota Statutes 2022, section 58.08, subdivision 3, is repealed.  
125.27 (b) Minnesota Statutes 2023 Supplement, section 332.71, subdivision 8, is repealed.  
125.28 **EFFECTIVE DATE.** Paragraph (b) is effective January 1, 2025.

118.24 Sec. 60. EFFECTIVE DATE.

118.25 (a) Sections 12 to 25 are effective August 1, 2024.

118.26 (b) Sections 42, 43, and 45 to 52 are effective August 1, 2025, and apply to contracts

118.27 entered into, modified, or renewed on or after that date.